# EXHIBIT A



## STATE OF CALIFORNIA **DEPARTMENT OF TRANSPORTATION**

# EXECUTION OF CONTRACT

FOR CONSTRUCTION ON STATE HIGHWAY

IN

DEL NORTE COUNTY ABOUT 7 MILES NORTH OF GASQUET AT VARIOUS LOCATIONS FROM 0.5 MILE NORTH OF MIDDLE FORK SMITH RIVER BRIDGE 01-0019 TO 0.8 MILE NORTH OF MIDDLE FORK SMITH RIVER BRIDGE 01-0016

DISTRICT 01 ROUTE 199

For use in Connection with Standard Specifications Dated July 10, Standard Plans Dated July 10, and Labor Surcharge and Equipment Rental Rates.

Contract No. 01-479404

01-DN-199-20.3/25.9

NHP-P199(033)E

FLATIRON WEST INC

Bids Open: October 1, 2013

BIDDERS PLEASE NOTE Bid Summaries available at: http://www.dot.ca.gov/hq/esc/oe/ Please return Contracts Within 10 Days to:

Department of Transportation Attn: Office Engineer MS 43 1727 30th Street Sacramento CA 95816



### STATE OF CALIFORNIA

### DEPARTMENT OF TRANSPORTATION

CONTRACT NO.

01-479404

DEC 1 0 2013

THIS AGREEMENT, made and concluded, in duplicate,

between the State of California, by the Department of Transportation thereof, party of the first part, and

### **FLATIRON WEST INC**

2100 GOODYEAR RD BENICIA CA 94510

License: 772589

Class: A

Phone: (707) 742-6000

Contractor, party of the second part.

ARTICLE I.-- WITNESSETH, That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the said party of the first part, and under the conditions expressed in the 2 bonds, bearing even date with these presents, and hereunto annexed, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the Department of Transportation, the work described in the special provisions and the project plans described below, including any addenda thereto, and also in accordance with the Department of Transportation Standard Plans, dated July, 2010, the Standard Specifications, dated July, 2010, and the Labor Surcharge And Equipment Rental Rates in effect on the date the work is accomplished, which said special provisions, project plans, Standard Plans, Standard Specifications, and Labor Surcharge And Equipment Rental Rates are hereby specially referred to and by such reference made a part hereof.

The special provisions for the work to be done are dated August 12,2013 and are entitled:

STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; NOTICE TO CONTRACTORS AND SPECIAL PROVISIONS FOR CONSTRUCTION ON STATE HIGHWAY IN DEL NORTE COUNTY ABOUT 7 MILES NORTH OF GASQUET AT VARIOUS LOCATIONS FROM 0.5 MILE NORTH OF MIDDLE FORK SMITH RIVER BRIDGE 01-0019 TO 0.8 MILE NORTH OF MIDDLE FORK SMITH RIVER BRIDGE 01-0016

The project plans for the work to be done were approved June 24,2013 and are entitled:

STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; PROJECT PLANS FOR CONSTRUCTION ON STATE HIGHWAY IN DEL NORTE COUNTY ABOUT 7 MILES NORTH OF GASQUET AT VARIOUS LOCATIONS FROM 0.5 MILE NORTH OF MIDDLE FORK SMITH RIVER BRIDGE 01-0019 TO 0.8 MILE NORTH OF MIDDLE FORK SMITH RIVER BRIDGE 01-0016

Type of Work: Widen shoulders with HMA over AB, replace bridge and const ret walls.

ARTICLE II.— The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III.-- The statement of prevailing wages appearing in the General Prevailing Wage Rates is hereby specifically referred to and by this reference is made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE IV.— By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V.— And the said Contractor agrees to receive and accept the following price or prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the Department of Transportation, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and special provisions, and the requirements of the Engineer under them, to wit:

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### CONTRACT PROPOSAL OF LOW BIDDER

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ITEM	ITEM		UNIT OF	ESTIMATED		
NO.	CODE	ITEM DESCRIPTION	MEASURE	QUANTITY	BID	TIMOMA
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM LUMP SLM 400	4,000.00	4,000.00
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SIM	5,500.00	5,500.00
3	090100	TIME-RELATED OVERHEAD (WDAY)	WDAY	400	3,000.00	1,200,000.00
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	10,000.00	10,000.00
5	120100	TRAFFIC CONTROL SYSTEM	r2	LIMP SUM	200,000.00	200,000.00
6	120149	TEMPORARY PAVEMENT MARKING (PAINT)	SQFT	48	12.00	576.00
7	120159	TEMPORARY TRAFFIC STRIFE (PAINT)	LF	8,800	1.00	8,800.00
8	026136	LEAD COMPLIANCE PLAN PROGRESS SCHEDULE (CRITICAL PATH METHOD) TIME-RELATED OVERHEAD (WDAY) CONSTRUCTION AREA SIGNS TRAFFIC CONTROL SYSTEM TEMPORARY PAVEMENT NARKING (PAINT) TEMPORARY TRAFFIC STRIFE (PAINT) TEMPORARY PORTABLE TRANSVERSE RUMBLE STRIP	LF	140	185.00	25,900.00
9	120165	CHANNELIZER (SURFACE MOUNTED)	EA	85	35.00	2.975.00
10	120199	TRAFFIC PLASTIC DRUM	EA	7	135.00	945.00
11	120200	FLASHING BEACON (PORTABLE)	EA	6	500.00	3.000.00
12	026137	TEMPORARY SIGNAL SYSTEM (LOCATION 1)	LS	LOMP SUM	206.000.00	200.000.00
1.3	026138	TEMPORARY SIGNAL SYSTEM (LOCATION 2)	LS	LUMP SUM	225,000.00	225.000.00
14	128653	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	50,000.00	50,000.00
15	129000	TEMPORARY RAILING (TYPE K)	LF	2,540	33.00	63,820,00
16	026139	ALTERNATIVE TEMPORARY CRASH CUSHIONS	EA	8	5,800.00	46,400.00
17	026140	STRIP CHAMBELIZER (SURFACE MOUNTED) TRAFFIC PLASTIC DRUM FLASHING BEACON (PORTABLE) TEMPORARY SIGNAL SYSTEM (LOCATION 1) TEMPORARY SIGNAL SYSTEM (LOCATION 2) PORTABLE CHANGEABLE MESSAGE SIGN (LS) TEMPORARY RALLING (TYPE K) ALTERNATIVE TEMPORARY CRASH CUSHIONS RELOCATE ALTERNATIVE TEMPORARY CRASH CUSHION	EA	3	500.00	1,500.00
18	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	200,000,00	206,000.00
19	130300	JOB SITE MANAGEMENT PREPARE STORM WATER POLLUTION PREVENTION PLAN		LUMP SUM LUMP SUM		
20	130310	RAIN EVENT ACTION PLAN	EA	160	500.00	50,000.00
31	130320	RAIN EVENT ACTION PLAN STORM WATER SAMPLING AND ANALYSIS DAY	EA	150	150.00	22,500.00
22	130330	STORM WATER ANNUAL REPORT	EA	4	2,000.00	8,000.00
23	130505	MOVE-IN/MOVE-OUT	EA	3	500,00	1,500.00
		(TEMPORARY EROSION CONTROL)				
24	130510	TEMFORARY MULCH TEMFORARY COVER TEMPORARY CHECK DAM	SQYD	240 2,460	10.00	2,400.00
25	130570	TEMPORARY COVER	SQYD LF	2,460	3.00 20.00	7,380.00
26	130610			480	20.00	9,600.00
27	130620	TEMPORARY DRAINAGE INLET PROTECTION	AE	8	500.00	4,000.00
28	130640	TEMFORARY FIBER ROLL	LF	1,090	3,00	3,270.00 1,680.00
29	130650	TEMPORARY GRAVEL BAG BERM	,LF	140		
30	130670-	TEMFORARY FIBER ROLL TEMFORARY GRAVEL BAG BERM TEMFORARY REINFORCED SILT FENCE TEMFORARY SILT FENCE TEMPORARY CONSTRUCTION ENTRANCE	LF	790	7.50	5,925.00
31	130680	TEMPORARY SILT FENCE	LF	540	4.00	2,160.00
32	130710	TEMPORARY CONSTRUCTION ENTRANCE	EΥ	4	3,500.00	14,000.00
33	130730	SIREET SWEEPING	LS	LUMP SUN	200,000.00	200,000.00
34	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	10,000.00	10,000.00



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### CONTRACT PROPOSAL OF LOW BIDDER

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						10/25/13
ITEM	ITEM		UNIT OF			
NO.	CODE	ITEM DESCRIPTION		ESTIMATED QUANTITY	BID	AMOUNT
	*****					
35	026141	WATER QUALITY SAMPLING AND ANALYSIS DAY	Ea	300	200.00	
36	026142	WATER QUALITY MONITORING REPORT	EA	36	200.00	50,000.00
37	026143	NATER QUALITY ANNUAL REPORT	EV	36	500.00	18,000.00
30	140003	ASBESTOS COMPLIANCE PLAN	7.0	Linen cens	2,500,00	10,000.00
39	141000	TEMPORARY FENCE (TYPE ESA)	7.5	DOMP SUM	2,500.00	2,500.00
40	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC	7.77	190	6.00	1,140.00
		WATER QUALITY SAMPLING AND ANALYSIS DAY WATER QUALITY HONITORING REPORT WATER QUALITY ANNUAL REPORT ASSESTOS COMPLIANCE PLAN TEMPORARY FENCE (TYPE ESA) REMOVE YELLOW THERMOPLASTIC TRAFFIC STAIPE (HAZARDOUS WASTE)	LF	3,970	3.00	11,910,00
41	141120	TREATED WOOD WASTE	LB	19.100	25	
42	146001	CONTRACTOR-SUPPLIED BIOLOGIST (DAY)	WDAY	300	, 25 660 00	4,775.00
43	146003	STRIPE (HAZARDOUS WASTE) TREATED MOOD WASTE CONTRACTOR-SUPPLIED BIOLOGIST (DAY) NATURAL RESOURCE PROTECTION PLAN CONTRACTOR SUPPLIED AREORIST (DAY) DUST CONTROL PLAN (NATURALLY OCCURING ASSESSOS)	LS	LITMD SIM	10 000 00	135,000.00
44	026144	CONTRACTOR SUPPLIED ARBORIST (DAY)	wnsv	DOME SON	10,000.00	10,000.00
45	3.49001	DUST CONTROL PLAN	1.0	TIME CIRC	800.00	4,000.00
		DUST CONTROL PLAN (NATURALLY OCCURING ASSESTOS) ABANDON CULVERT (EA) ADANDON DOWNDRAIN REMOVE MARKER REMOVE METAL SEAM GUARD RAILING REMOVE PAINTED TRAFFIC STRIPE REMOVE PAINTED PAVEMENT MARKING REMOVE PAVEMENT MARKING REMOVE PAVEMENT MARKER	ш	LUMP SUM	2,500.00	2,500.00
46	150203	ABANDON CULVERT (EA)	C. A.	_		
47	026145	ABANDON DOWNDRATH	OA Da	<u> </u>	3,700.00	
49	150630	REMOVE MARKER	EA	1	1,900.00	1,900.00
49	150662	REMOVE METAL REAM GUARD DATITHO	EA.	2	240.00 5.00	480.00
50	150711	REMOVE PAINTED TRAFFIC STRIPS	LF.	1,470	5.00	7,350.00
51	150712	REMOVE PAINTED PAVEMENT MARGING	LF	1,390	1.50	2,085.00
52	150722	REMOVE PAVEMENT MADVED	SQFT	24	15.00	360.00
53	150740	REMOVE STOM	5A	170	3.00	510.00
54	150801	REMOVE OVERSIDE DRAIN	EA	12	65.00	1,020.00
55	150808	PEMOVE CULVEET (EX)	EA	2	\$70.00 1,000.00 1,000.00 1,000.00	1,140.00
56	150814	PENGUE DOISTORANY ARAI	EA	5	1,000.00	\$,000.00
57	150820	REMOVE DUMMDRAIN (EA)	EA	3	1,000.00	
58	150821	DEMOUD HEADON'S	EA	6	1,100.00	3,000.00 6,600.00
59	026146	REMOVE CERT PARTICULAR CHAPTER	Eλ	4	1,600.00	6,400.00
50	150860	REMOVE CARLE ANCHORAGE SYSTEM	EA	1	1,600.00	1,000.00
51	026147	REMOVE BASE AND SURFACING	CA	2,940	1,000.00 . 35.00 15,000.00 9.00	102.900.00
62	026148	RECONSTRUCT GABTON WALL	LS	LUMP SUH	15,000.00	15,000.00
53	153103	REMOVE PAINTED PAVEMENT MARKING REMOVE PAVEMENT MARKER REMOVE SIGN REMOVE CULVERT (EA) REMOVE CULVERT (EA) REMOVE CULVERT (EA) REMOVE DOWNDRAIN (EA) REMOVE INLET REMOVE HABLE ANCHORAGE SYSTEM REMOVE DASE AND SURFACING RECONSTRUCT GABION WALL REMOCATE TEMPORRY RAILING (TYPE K) COLD PLANE ASPHALT CONCRETE PAVEMENT BRIDGE REMOVAL CLEARING AND GRUBBING (LS)	LF	1.000	9.00	9,000.00
64	157550	COLD PLANE ASPHAUT CONCRETE PAVEMENT	SQYD	1,320	25.00	33.000.00
65	160102	CIERDING AND CONTROL	LS	LUMP SUM	250,000.00	250,000.00
	170101	CELARING AND GROBBING (LS)	LS	LUMP SUM	250,000.00 100,000.00	100,000.00
	190101	BRIDGE REMOVAL CLEARING AND GRUBBING (LS) DEVELOP WATER SUPPLY ROADWAY EXCAVATION ROADWAY EXCAVATION (NATURALLY OCCURRING ASSESTOR)	LS	LUMP SUH	100,000.00 20,000,00 50.00 50.00	20.000.00
		KOADWAY EXCAVATION	CY	5,100	50.00	255,000,00
68	190109	ROADWAY EXCAVATION	CY	800	50.00	49 000.00
			-		50.00	40,000.00
59 (2)	026149	STRIPPING EXCAVATION	CY	1,192		71,520,00



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CONTRACT PROPOSAL OF LOW BIDDER

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TEM NO.	ITEM	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED OUANTITY	BID	AMOUNT
70	026150	SELECTED MATERIAL (CY)	CY	180	140.00	25,200.00
71	190185	SHOULDER BACKING	TON	350	60.00	21,906.00
72 (F)	192003	STRUCTURE EXCAVATION (BRIDGE)	CY	727	150.00	109,050.00
73	192009	SHOULDER BACKING STRUCTURE EXCAVATION (BRIDGE) STRUCTURE EXCAVATION (NATURALLY OCCURRING ASBESTOS)	CY	62	100.00	6,200.00
		(NATURALLY OCCURRING ASBESTOS) STRUCTURE EXCAVATION (TYPE D) STRUCTURE EXCAVATION (REFLANING WALL) STRUCTURE EXCAVATION (SOLDIER PILE WALL) STRUCTURE BACKFILL (BRIDGE) STRUCTURE BACKFILL (FATANING WALL) STRUCTURE BACKFILL (SOLDIER FILE WALL) CONCRETE BACKFILL (SOLDIER FILE WALL) CONCRETE BACKFILL LEAN CONCRETE BACKFILL MULCH MULCH MOVE-IN/MOVE-OUT (EROSION CONTROL) ROLLED EROSION CONTROL PRODUCT (BLANKET) HYDROMULCH				
74 (F)	192020	STRUCTURE EXCAVATION (TYPE D)	CA	595	150.00	89,250.00
75 (F)	192037	STRUCTURE EXCAVATION (RETAINING WALL)	CÅ	625	100.00	62,500.00
	192049	STRUCTURE EXCAVATION (SOLDIER PILE WALL)	CY	236	150.00	35,400.00
77 (F)	193003	STRUCTURE BACKFILL (BRIDGE)	GĀ	735	100.00	73,500.00
78 (F)	193013	STRUCTURE BACKFILL (RETAINING WALL)	CÃ	283	120.00	33,960.00
79 (F)	193029	STRUCTURE BACKFILL (SOLDIER PILE WALL)	CY	152	225.00	34,200.00
80 (F)	193116	CONCRETE BACKFILL (SOLDIER PILE WALL)	CY	263	200,00	56,600.00
	1.93118	CONCRETE BACKFILL	CX	273	250.00	68,250.00
	193119	LEAN CONCRETE BACKPILL	CX	56	210.00	13,860.00
33	202011	MULCH	CY	62	100.00	6,200.00
94	210010	MOVE-IN/MOVE-OUT (EROSION CONTROL)	EA	4	1,000.00	4,000.00
	\$10380	ROLLED EROSION CONTROL PRODUCT (BLANKET)	SOFT	8,260	1.00	8,260.00
36	210300			23,300	.05 8.00 .10 .35 1.00	1,165.00
87	210350	FIBER ROLLS	LF	75	8.00	600.00
88	210420	STRAW	SOFT	23,300	. 10	2,330,00
89	210430	HYDROSEED	SQFT	52,460	. 35	18,361.00
90	210600	COMPOST	SOFT	23,300	1.00	23,300.00
91	210630	INCORPORATE MATERIALS	SQFT	21,800	.10	2,180.00
92	260203	CLASS 2 AGGREGATE BASE (CY) PREPAVING INERTIAL PROFILER PREPAVING GRINDING DAY	CY	1,890	60.00	113,400.00
93	390011	PREPAVING INERTIAL PROFILER	LS	LUMP SUM	5,500.00	5,500.00
94	390020	PREPAVING GRINDING DAY	ea.	2	16,000.00	32,000.00
95	390132	HOT MIX ASPHALT (TYPE A)	TON	3,480	153.00	532,440.00
36	390134	HOT MIX ASPHALT (OPEN GRADED)	TON	1,710	165.00	202,150.00
97	390135	HOT MIX ASPHALT (LEVELING)	TON	790	175.00	138,250.00
98	391007	HOT MIX ASPHALT (TYPE A) HOT MIX ASPHALT (TYPE A) HOT MIX ASPHALT (OPEN GRADED) HOT MIX ASPHALT (BEVELING) PAVING ASPHALT (BINDER, GEOSYNTHETIC PAVEMENT INTERLAYER)				
99	393004	GEÓSYNTHETIC PAVEMENT INIERLAYER (PAVING FABRIC)	- <del>-</del>	1,070		
0.0	026151	CENTERLING RUMBLE STHIP PLACE HOT MIX ASPHALT DIKE (TYPE F)	STA	44	100.00	4,400.00
01	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	LF	460	12,00	5,520.00
02	397005	TACK COAT	TON	11 36 LUMP SUM	1,350.00	14,850.00
03	460210	GROUND ANCHOR (SUBHORIZONTAL)	EΛ	36	8,000.00	288,000.00
04	480300	TEMPORARY SUPPORT	T.S	TIMP SIM	25 000 00	25.000.00



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### CONTRACT PROPOSAL OF LOW BIDDER

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ITEM	ITEM		UNIT OF	ESTIMATED		
NO.	CODE	ITEM DESCRIPTION	MEASURE		BID	* LI China
					מזמ	AMOUNT
105	026152	TEMPORARY RETAINING WALL	SQFT	630	50.00	34,000.00
106	026153	STEEL SOLDIER PILE (C 15 X 50)	$_{ m LF}$	1,820		
107	044391	STEEL SOLDIER PILE (W 16 % 67)	LF		50.00 65.00	16,835.00
108	044392	STEEL SOLDIER PILE (W 18 X 106)	LF	260	80.00	20,800.00
109	044393	STEEL SOLDIER PILE (W 18 X 143) STEEL SOLDIER PILE (HP 14 X 73) 24" DRILLED HOLE	I,P	700	100.00	70,000.00
110	490316	STEEL SOLDIER PILE (HP 14 X 73)	LF	210	56.00	
111	490400	24" DRILLED HOLE 30" DRILLED HOLE 16" CAST-IN-DRILLED-HOLE CONCRETE PILING	LF	259	90.00	22 210 00
112	490403	30" DRILLED HOLE	LF	1,811	120.00	23.310.00 217,320.00
113	490601	16" CAST-IN-DRILLED-HOLE CONCRETE PILING	LF	336	650.00	218,400.00
114	490605	16" CAST-IN-DRILLED-HOLE CONCRETE PILING	LF	336 100	1.200.00	120,000.00
115	490606	42" CAST-IN-DRILLED-HOLE CONCRETE PILING	LF	303	1,500.00	120,000.00 454,500.00 48,000.00
116	490607	48" CAST-IN-DRILLED-NOLE CONCRETE PILING	7.6	24	2,000.00	42 000 00
117	495000	MICROPILE	EA	5.5	4 500 00	247,500.00
	510051	STRUCTURAL CONCRETE, BRIDGE FOOTING	CY	355	1 000 00	355 000 00
	5.0053	MICROFILE STRUCTURAL CONCRETE, BRIDGE FOOTING STRUCTURAL CONCRETE, BRIDGE STRUCTURAL CONCRETE, RETAINING WALL STRUCTURAL CONCRETE, BARRIER SLAB MINOR CONCRETE (MINOR STRUCTURE) MINOR CONCRETE (BACKFILL)	GA	3.258	1 500 00	355,000.00 1,887,000.00
	510060	STRUCTURAL CONCRETE, RETAINING WALL	CY	413		355,180.00
	510072	STRUCTURAL CONCRETE, BARRIER SLAB	CA	413 138 24.3		62,100.00
	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	74 3	1 200.00	62,100.00 30,150.00
	510526	MINOR CONCRETE (BACKFILL)	CY	5 7	160.00	29,160.00 912.00 88,440.00
124	044394	RANDOM ROCK TEXTURE JOINT SEAL (MR 1/2") JOINT SEAL (MR 1 1/2") JOINT SEAL (MR 2") JOINT SEAL (TYPE AL)	SOFT	7,370	13 00	912.00
125	519081	JOINT SEAL (MR 1/2")	LF	20	100 00	99,240,00
	519091	JOINT SEAL (MR 1 1/2")	î.F	20 20.5	130.00	2,000.00 2,460.00 6.075.00
	519100	JOINT SEAL (MR 2")	LF	40.5	120.00	2,460.00
125	519102	JOINT SEAL (TYPE AL)	LF	3	20.00	310.00
	5201.02	BAR REINFORCING STEEL (BRIDGE)	LB	350.200	1 40	450 300 00
	520103	BAR REINFORCING STEEL (RETAINING WALL)	T/P	36 200	1 76	150,260.00
	520106	JOINT SEAL (MR. 2") JOINT SEAL (TYPE AL) BAR REINFORCING STEEL (BRIDGE) BAR REINFORCING STEEL (RETAINING WALL) BAR REINFORCING STEEL (EPOXY COATED) BAR BEINFORCING STEEL (EPOXY COATED) BAR BEINFORCING STEEL (EPOXY COATED)	LB	94 025	2.00	100 050 00
132 (F)	044395	SAR REINFORCING STEEL (BARRIER SLAB)	LS	14,930	3 25	33,592.50
		(EPOXY CUATED)		24,330	2.23	33,592.50
	520115	BAR REINFORCING STEEL (GALVANIZED)	LR	670	2 50	1,675.00
134	560248	FURNISH SINGLE SHEET ALUMINUM SIGN	SOFT	50	13.00	
		(0.063"-UNFRAMED)		25	13.00	754.00
135	560249	FURNISH SINGLE SHEET ALUMINUM SIGN	SOFT	84	35.00	1,260.00
		(0.080"-UNFRAMED)			15.00	1,280.00
136	562001	METAL (ROADSIDE SIGN)	LB	S0	4 00	200.00
137	566011	ROADSIDE SIGN - ONE POST	Eλ	13		3,900.00
138	568017	INSTALL ROADSIDE SIGN PANEL ON	EA	1	100.00	
		EXISTING POST		-	100.00	100.00



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### CONTRACT PROPOSAL OF LOW BIDDER

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NO,	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	BID	AHOUNT
						· · · · · · · · · · · · · · · · · · ·
	575004	TIMBER LAGGING	MFBM	25.5	4,000.00	102,000.00
L40	597601	PREPARE AND STAIN CONCRETE	SOFT	7,370	5.00	36,850.00
141	620100	18" ALTERNATIVE PIPE CULVERT	LF	65	115.00	7,475.00
142	620140	24" ALTERNATIVE PIFE CULVERT	LF	370	200.00	74,000.00
143	680283	3" PLASTIC PIPE UNDERDRAIN	LF	100	3.25	325.00
144	681132	GEOCOMPOSITE DRAIN	SQFT	900	11.50	9,200,00
	692022	CLASS 1 PERMEABLE MATERIAL (BLANKET)	CÄ	2.4	50.00	120.00
146	692003	8" ENTRANCE TAPER	£A	1	190.00	190.00
1-17	692303	8" ANCHOR ASSEMBLY	EA	1	200.00	200.00
148	698020	8" ALTERNATIVE PIPE DOWNDRAIN	LF	12	300.00	3.600.00
149	698140	24" ALTERNATIVE PIPE DOWNDRAIN	LF	80	95.00	7,600.00
150	700639	TIMBER LAGGING PREPARE AND STAIN CONCRETE 18" ALTERNATIVE PIPE CULVERT 24" ALTERNATIVE PIPE CULVERT 3" PLASTIC PIPE UNDERDRAIN GEOCOMPOSITE DRAIN CLASS I PERMERABLE MATERIAL (BLANKET) 8" ENTRANCE TAPER 3" ANCHOR ASSEMBLY 8" ALTERNATIVE PIPE DOWNDRAIN 24" ALTERNATIVE PIPE DOWNDRAIN 36" CORRUGATED STEEL PIPE INLET (.109" THICK)	LF	7.1	1,200.00	8,520.00
153	705315	24" ALTERNATIVE FLARED END SECTION	EA	1	580.00	580.00
152 (F)	721015	7.109" THICK) 24" ALTERNATIVE FLARED END SECTION ROCK SLOPE PROTECTION	CY	15	380.00	5,700.00
153	721524	CONCRETED-ROCK SLOPE PROTECTION (1/4 T, METHOD A) (TON)				
154	026154	DOUBLE TWISTED WIRE MESH DRAPERY SYSTEM ROCK SLOPE PROTECTION FABRIC (CLASS 8) MINOR CONCRETE (GUTTER) (CY)	SOFT	26.500	4.00	106,000,00
155	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	COYD	3.8	10.00	380.00
156	730045	MINOR CONCRETE (GUTTER) (CY)	CY	10	500.00	5,000.00
157 (F)	750001	MISCELLANEOUS IRON AND STEEL,	LB	3.499	3.00	10.497.00
150 (F)	750041	ISOLATION CASING	LB	1,555	10.00	15.550.00
	750501	MISCELLANEOUS METAL (BRIDGE)	ĩ.B	438	15.00	6,570.00
	750505	BRIDGE DECK DRAINAGE SYSTEM	LB	780	15.00	11,700.00
161	044396	BAT HABITAT	EA	4	1,000.00	4.000.00
162	820112	MARKER (CULVERT)	EA	16	50,00	800.00
163	820118	GUARD RAILING DELINEATOR	ea.	31	20.00	620.00
164	832001	METAL BEAM GUARD RAILING	LF	380	22,00	8.360.00
165	832013	MINOR CONCRETE (GUTTER) (CY) MISCELLANEOUS IRON AND STEEL ISOLATION CASING MISCELLANEOUS METAL (BRIDGE) BRIDGE DECK DRAINAGE SYSTEM BAT HABITAT MARKER (CULVERT) GUARD RAILING DELINEATOR METAL BEAM GUARD RAILING (T' FOST) CABLE RAILING (MODIFIED) TRANSITION RAILING (TYPE WE) ALTERNATIVE IN-LINE TEXNINAL SYSTEM ALTERNATIVE FLAZED TERNINAL SYSTEM CONCRETE BARRIER (TYPE 60D) CONCRETE BARRIER (TYPE 80 MODIFIED) CONCRETE BARRIER (TYPE 80 MODIFIED) 4" THERMOPLASTIC TRAFFIC STRIPE	LF	820	24.00	19,680.00
	839527	CABLE RATLING (MODIFIED)	LF	365	95.00	34,675.00
1.67	839541	TRANSITION RAILING (TYPE WB)	EA	8	3,500.00	28,000.00
1.68	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	9	2,450.00	22,050.00
169	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	EA	3	2,050.00	4,100.00
170	839704	CONCRETE BARRIER (TYPE 60D)	LF	175	100.00	17,500.00
		CONCRETE BARRIER (TYPE 80 MODIFIED)	LF	995	350.00	348,250.00
	044398	CONCRETE BARRIER (TYPE 80A MODIFIED)	ЬF	183	700.00	128,100.00
173	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	18.300	.80	14.640.00



01-479404 01-DN-199-2 10/01/13

CONTRACT PROPOSAL OF LOW BIDDER

BID211 PAGE 13 10/25/13

ITEM NO.	CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED OUANTITY	DIE	Амоцит
174 175	840506 850122	9" THERMOPLASTIC TRAFFIC STRIPE PAVEMENT MARKER (RETROREFLECTIVE-RECESSED)	LF EA	450 400	3.00 18.50	1.350.00
176	999990	MOBILIZATION	LS	LUMP SUM	1,360,000.00	1,360,000.00
					TOTAL	13,624,157.50



### CONTRACT

DE 3-0103A (REV 3/2010)



### STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION CONTRACT NO. 01-479404

This contract is entered into between the State of California's Department of Transportation and the Contractor named below:

FLATIRON WEST INC	
CONTRACTOR'S NAME	
The parties agree to comply with the terms of the following exhibits that are made a part of this contract.	e by this reference
Exhibit A - Bid book dated	8/12/2013
Exhibit B - Notice to Bidders and Special Provisions dated	8/12/2013
Exhibit C - Project Plans approved	6/24/2013
Exhibit D - Standard Specifications dated	2010
Exhibit E - Standard Plans dated	2010
Exhibit F - Addenda	
Exhibits A, B, C, and F are those exhibits identified with the same contract This contract has been executed by the following parties:	number as this contract.
CONTRACTOR	
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc. FIATIRON WEST INC2	to the part of the second seco
BY (Authorized Sighature)	DATE SIGNED (De not type) / (2/24//3
PRINTED NAME AND TITLE OF PERSON SIGNING PTCHARD GRABINSKI, VICE PRESIDENT FEDERAL EMPLOYER IDENTIFICATION NUMBER	
84-1173347	
DEPARTMENT OF TRANSP	
(BY (Authorized Signature)	DATE SIGNED (Do not type)
PRINTED NAME AND TITLED FERSON SIGNING Departy Die Chiel-Ufe	6 6261
This contract has been certified as complying with the State Contract	
BY (Authorized Signature	DAYE SIGNED (Oo not type)
PRINTED NAME AND TITLE OF PERSON SIGNING TOOM M. Van Santen	/
Assistant-Chief-Counsel	

Executed in Triplicate Premium: \$87,924.00

Liberty Bond No. 015042022, Travelers Bond No. 106001829, F&D/Zurich Bond No. 9140477 Federal Bond No. 82320076, CNA Bond No. 929573542, XL Bond No. SUR7402456 STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

Bond No.	
----------	--

### PERFORMANCE BOND

( To Accompany Contract )

WHEREAS, the State of California, Department of Transportation, hereafter referred to as "Obligee", has awarded to Contractor FLATIRON WEST INC

hereafter referred to as "Principal", a contract for the work described as follows:

01-479404 01-DN-199-20.3/25.9

Widen shoulders with HMA over AB, replace bridge and const ret walls.

DEC I 0 2013

Dated:

AND, WHEREAS, said Principal is required to furnish a bond in connection with said contract, guaranteeing the faithful performance thereof:

NOW. THEREFORE, we the undersigned Principal and Surety are held firmly bound to the Obliges, in the sum of

Six million eight hundred twelve thousand seventy eight and 75/100

dollars (\$ 6.812.078.75) to be paid to the Obligee, for which payment, we bind ourselves, jointly and severally.

THE CONDITION OF THIS OBLIGATION IS SUCH,

That if said Principal shall faithfully perform this contract, then this obligation shall be null and void; otherwise it shall be in full force and effect.

No right of action shall accrue under this bond to or for the use of any person other than the Obligee named herein.

	FLATIRON WEST INC
Correspondence or claims relating to this bond should be sent to the surety at the following address:  Liberty Mutual Insurance Company	By RICHARD GRABINSKI, Principal VICE PRESIDENT
450 Plymouth Road, Suite 400	\$ee Attachment A
Plymouth Meeting, PA 19462	Surety
7 Jymouth Heating 17 10402	By See Attachment A  Attorney-in-fact
NOTE: Signatures of those executing for the surety must be p  CALIFORNIA ALL-PU	properly acknowledged, and a Power of Attorney attached.  RPOSE ACKNOWLEDGMENT
State of California County of SOLANO	
On this DECEMBER 24, 2013 before me,	LILLIAN M. SIMON, NOTARY PUBLIC
personally appeared RICHARD GRABINSK	Here Insert Name and Title of the Officer ${f I}$
VICE PRESIDENT OF FL	Name(s) of Signer(s) ATIRON WEST INC.
who proved to me on the basis of satisfactory evidence to be the and acknowledged to me that he/she/they executed the same in signature(s) on the instrument the person(s), or the entity upon	he person(s) whose name(s) is/are subscribed to the within instrument in his/her/their authorized capacity(ies), and that by his/her/their is behalf of which the person(s) acted, executed the instrument.
	e State of California that the foregoing paragraph is true and correct.
LILLIAN M. SIMON 2	TNESS my fame and official seal (MO)

### ATTACHMENT A

Executed in Triplicate

Liberty Bond No. 015042022 Travelers Bond No. 106001829 F&D/Zurich Bond No. 9140477 Federal Bond No. 82320076 C N A Bond No. 929573542 XL Bond No. SUR7402456

Liberty Mutual Insurance Company, a Massachusetts Corporation;
Travelers Casualty and Surety Company of America; a Connecticut Corporation
Fidelity and Deposit Company of Maryland, a Maryland Corporation
Zurich American Insurance Company, a New York Corporation;
Federal Insurance Company, an Indiana Corporation;
The Continental Insurance Company, a Pennsylvania Corporation;
XL Specialty Insurance Company, a Delaware Corporation

Liberty Mutual Insurance Company – A.M. Best Rating A XV 175 Berkeley Street, Boston, MA 02116 - Fax (212)-221-5608 Contact: David D. Roberts, Branch Manager – (212) 719-7750 – davidd.roberts@libertymutual.com

Travelers Casualty and Surety Company of America – A.M. Best Rating A+ XV Construction Services, One Tower Square, Hartford, CT 06183 Contact: Brian Bialaski – VP, (860) 277-1914, Fax – (860)-277-3931 – bbialaski@travelers.com

Fidelity and Deposit Company of Maryland/Zurich American Insurance Company – A.M. Best Rating A+ XV

1400 American Lane, Schaumburg, IL 60196 – Fax (410)-261-7957 Contact: Thomas McClellan, Sr. Underwriting Officer – (410)-559-8730 – tom.mcelellan@zurichna.com

Federal Insurance Company – A.M. Best Rating A++ XV 15 Mountain View Road, Warren, NJ 07061 – Fax (908)-526-2060 – mlubin@chubb.com Contact: Matthew Lubin, Director, National Engineering and Construction Group – (908) 903-3461

The Continental Insurance Company – A.M. Best Rating A XV 333 S. Wabash Avenue, 41<sup>st</sup> Floor, Chicago, IL 60604 – Fax (212)-440-7351 Contact: Jon Fullerton, Branch Manager (212)-440-7356 – jon.fullerton@cnasurety.com

XL Specialty Insurance Company – A.M. Best A XV Seaview House, 70 Seaview Avenue, Stamford, CT 06902 – Fax (410)-385-8010 Contact: William Mills, Senior VP, - (410)-385-8411 – <u>bill.mills(a;xlgroup.com</u>

Mary R. McKee, Attorney-In-Fact

ν: ΥΥ -/<u>//</u>

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Liberty Mutual Insurance Company the corporation described in and which executed
the above instrument that she/he knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so affixed by order of the Board of
Directors of said corporation, and that she/he signed her/his name thereto by like order.
(SEAL)

Estrer Capan Notary Public of New Jersey My Gommission Expires February 10, 2014



### LIBERTY MUTUAL INSURANCE COMPANY

### FINANCIAL STATEMENT - DECEMBER 31, 2012

Assets	Liabilities
Cash and Bank Deposits \$ 903,711,694	Uncarned Premiums \$4,205,141,671
*Bonds U.S Government 1,166,929,471	Reserve for Claims and Claims Expense 17,056,420,207
*Other Bonds 11,415,194,219	Funds Held Under Reinsurance Treaties 1,315,062,091
	Reserve for Dividends to Policyholders
*Stocks 8,104,853,899	Additional Statutory Reserve 49,768,998
Real Estate	Reserve for Commissions, Taxes and
Agents' Balances or Uncollected Premiums 3,482,069,753	Other Liabilities 3.066,051,537
Accrued Interest and Rents	Total\$25,694,899,915
	Special Surplus Funds \$604,621,497
Other Admitted Assets	Capital Stock 10,000,000
	Paid in Surplus
	Unassigned Surplus 5,996,373,279
Total Admitted Assets	Surplus to Policyholders
	Total Liabilities and SurplusS40,205,366,577



\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.

The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAIEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2012, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 25th day of March, 2013.

Assistant Secretary

TAMiholajewshi.

# To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Certificate No. 6320281

American Fire and Casualty Company The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company

### **POWER OF ATTORNEY**

	be as binding upon the Companies as if they have been duly signed by the president and attested by the so	ecretary of the Companies in their own proper persons.
	IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of thereto this 17th day of October, 2013	of the Companies and the corporate seals of the Companies have been affixed
		American Fire and Casually Company The Ohio Casually Insurance Company Liberty Mulual Insurance Company
es.		West American Insurance Company
guarantees.	STATE OF WASHINGTON ss COUNTY OF KING	Gregory W. Davenport, Assistant Secretary
		enport, who acknowledged himself to be the Assistant Secretary of Americar American Insurance Company, and that he, as such, being authorized so to do is by himself as a duly authorized officer.
ına: Yarue	IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Was	shington, on the day and year first above written.
		By: KD Riley , Notes Public
currency rate, interest rate of I	This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Author Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions at ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation aut to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligation powers of attorney, shall have full power to bind the Corporation by their signature and execution of any executed, such instruments shall have full power to bind the Corporation by their signature and execution of any	are now in full force and effect reading as follows:  thorized for that purpose in writing by the Chairman or the President, and subject  may be necessary to act in behalf of the Corporation to make, execute, seal  ions. Such attorneys-in-fact, subject to the limitations set forth in their respective
7.0	the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the	<li>y. Any power or authority granted to any representative or attorney-in-fact unde e officer or officers granting such power or authority.</li>
Current	ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the C and subject to such limitations as the chairman or the president may prescribe, shall appoint such altorneys seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety respective powers of altorney, shall have full power to bind the Company by their signature and execution of executed such instruments shall be as binding as if signed by the president and attested by the secretary.	<ul> <li>-in-fact, as may be necessary to act in behalf of the Company to make, execute y obligations. Such attorneys-in-fact subject to the limitations set forth in thei f any such instruments and to attach thereto the seal of the Company. When so</li> </ul>
]	Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Comattomeys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowled other surety obligations.	npany, authorizes Gregory W. Davenport, Assistant Secretary to appoint such dge and deliver as surety aoy and all undertakings, bonds, recognizances and
	Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that f Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in course the same force and effect as though manually affixed.	facsimile or mechanically reproduced signature of any assistant secretary of the onnection with surety bonds, shall be valid and binding upon the Company with
		in Casually Insurance Company Liberty Mystelles
	I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohi American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a is in full force and effect and has not been revoked.  IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this	tull, true and correct copy of the Power of Attorney executed by said Companies

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Travelers Casualty and Surety Company of America the corporation described in
and which executed the above instrument that she/he knows the seal of said corporation:
that the seal affixed to said instrument is such corporate seal; that it was so affixed by
order of the Board of Directors of said corporation, and that she/he signed her/his name
thereto by like order.
(SEAL)

Esther Caban Notary Public of New Jersey My Commission Expires February 16, 2014

### TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

### HARTFORD, CONNECTICUT 68183

### FINANCIAL STATEMENT AS OF DECEMBER 31, 2012

### CAPITAL STOCK \$ 6,480,000

ABSETS		LIABILITIES & SURPLUS			
CASH AND INVESTED CASH BONDS INVESTMENT INCOME DUE AND ACCRUEO OTHER INVESTED ASSETS PREMIUM BALANCES NET DEFERRED TAX ASSET REINSURANCE RECOVERABLE SECURITIES LENDING REINVESTED COLLATERAL ASSETS RECEIVABLES FROM PARENT, SUBSIDIARIES AND AFFILIATES UNDISTRIBUTED PAYMENTS OTHER ASSETS	\$ 16,936,791 3,713,171,015 50,788,732 280,730,497 184,942,608 63,274,378 12,410,524 7,769,165 11,080,470 (1,439,586) 884,093	UNEARNED PREMIUMS LOSSES REINSURANCE PAYABLE ON PAID LOSSES & LOSS ADJ. EXPENSES REINSURANCE PAYABLE ON PAID LOSSES & LOSS ADJ. EXPENSES COMMISSIONS TAXES, LIGENSES AND FEES OTHER EXPENSES FUNDS HELD UNDER REINSURANCE TREATIES CURRENT FEDERAL, AND FOREIGN INCOME TAXES REMITTANCES AND ITEMS NOT ALLOCATED AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS RETROACTIVE REINSURANCE RESERVE ASSUMED POLICYHOLDER DIVIDENDS PROVISION FOR REINSURANCE ADVANCE PREMIUM PAYABLE FOR SECURITIES LENDING CEDED REINSURANCE NET PREMIUMS PAYABLE ESCHEAT LIABILITY OTHER ACCRUED EXPENSES AND LIABILITIES TOTAL LIABILITIES  CAPITAL STOCK PAID IN SURPLUS OTHER SURPLUS TOTAL SURPLUS TO POLICYHOLOERS	3 783,409,602 901,058,710 1,449,021 534,370,660 29,281,779 98,782,804 35,588,867 94,449,544 60,675,673 19,270,931 79,084,806 3,163,164 9,730,121 5,314,325 725,898 7,769,155 (70,603,744) 625,399 282,002 3 2,559,109,857 3 6,480,000 433,803,760 1,340,189,3760 1,340,189,3760 1,1280,451,621		
TOTAL ASSETS	\$ 4,339,658,778	Total liarilities & surplus	\$ 4,330,558,778		

STATE OF CONNECTICUT ) COUNTY OF HARTFORD ) \$3.

)

CITY OF HARTFORD

MICHAEL J. DOODY, BEING OULY SWORN, SAYS THAT HE IS SECOND VICE PRESIDENT, OF TRAVELERS CASUALTY AND BURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 31ST DAY OF DECEMBER, 2012.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY OF MARCH, 2013

SUSAN M. WEISSLEDER

Notary Public
My Commission Expires November 30, 2017



### POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insorance Company Travelers Casualty and Surety Company Travelers Casualty and Surety Company of America United States Fidelity and Gunranty Company

Attorney-In Fact No.

227173

Certificate No. 005646641

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company. St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company. Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Jowa, and that Fidelity and Guaranty Insurance Underwriters. Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Alice McLaughlin, Mary R. McKee, Sherryanne M. DePirro, Maria L. Spadaccini, and Nicholas F. Walsh

of the City ofWoodcliff each in their separate capacity if other writings obligatory in the contracts and executing or guara	more than one is named above, nature thereof on behalf of the	to sign, execute, se . Companies in thei	r business of guarante	eing the fidelity of pers	nizances, conditiona ions, guaranteeing (	I undertakings and
1 WITNESS WHEREOF, the ay ofSeptember	Companies have caused this in 2013	nstrument to be sign	ed and their corporate	seals to be hereto affixe	ed, this	19th
	Farmington Casualty Com Fidelity and Guaranty Inst Fidelity and Guaranty Inst St. Paul Fire and Marine I St. Paul Guardian Insuran	urance Compony urance Underwrite nsurance Compon	ers, Inc.	St. Paul Mercury Insur Travelers Casualty and Travelers Casualty and United States Fidelity a	Surety Company   Surety Company	of America
1977	* 1951	SEA SEA	ALL SEAL	HARTFORD, CON.	WATORO CONTROL OF THE PARTY OF	SECUTIVE OF THE SECUTIVE OF TH
State of Connecticut City of Hartford ss.			Ву:	Robert L. Rancy.	Ly Senior Vice President	
On this the 19th be the Senior Vice President of F Fire and Marine Insurance Comp Casualty and Surety Company of instrument for the purposes there	onny, St. Paul Guardian Insuran f America, and United States F	ice Company, St. Pa Fidelity and Guaran	aul Mereury Insorance Iv Company, and that	: Company, Travelers Ca he, as such, being autho	asualty and Sarety (	Company, Travelers
In Witness Whereof, I hereunto iy Commission expires the 30th		CONNECTED A	) —	Mani	ル C. Ja ie C. Teireauli, Notary	treault.

58440-8-12 Printed in U.S.A.

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Fidelity and Deposit Company of Maryland the corporation described in and
which executed the above instrument that she/he knows the seal of said corporation; that
the seal affixed to said instrument is such corporate seal; that it was so affixed by order of
the Board of Directors of said corporation, and that she/he signed her/his name thereto by
like order,

(SEAL)

Esther Caban Notary Public of New Jersey My Commission Expires February 16, 2014

### FIDELITY AND DEPOSIT COMPANY

OF MARYLAND 600 Red Brook Bivd., Suite 600, Owings Mills, MD 21117

### Statement of Financial Condition As Of December 31, 2012

### ASSETS

MODELD	
Bonds\$ Stocks	157,177,826
Stocks	23,000,311
Cash and Short Term Investments	119,155
Reinsurance Recoverable	17,923,564
Other Accounts Receivable	35,473,256
TOTAL ADMITTED ASSETS\$	233,694,113
LIABILITIES, SURPLUS AND OTHER PUNDS  Reserve for Taxes and Expenses	74,782
Reserve for Taxes and Expenses	48,323,524 1,716,240
Reserve for Taxes and Expenses	48,323,524 1,716,240
Reserve for Taxes and Expenses \$ Ceded Reinsurance Premiums Payable \$ Securities Lending Collateral Liability \$ TOTAL LIABILITIES \$ Capital Stock, Paid Up \$ 5,000,000	48,323,524 1,716,240
Reserve for Taxes and Expenses \$ Ceded Reinsurance Premiums Payable \$ Securities Lending Collateral Liability \$ TOTAL LIABILITIES \$ Capital Stock, Paid Up \$ 5,000,000 Surplus \$ 178,579,567	48,323,524 1,716,240
Reserve for Taxes and Expenses \$ Ceded Reinsurance Premiums Payable \$ Securities Lending Collateral Liability \$ TOTAL LIABILITIES \$ Capital Stock, Paid Up \$ 5,000,000 \$ Surplus \$ Surplus as regards Policyholders	48,323,524 1,716,240 50,114,546
Reserve for Taxes and Expenses \$ Ceded Reinsurance Premiums Payable \$ Securities Lending Collateral Liability \$ TOTAL LIABILITIES \$ Capital Stock, Paid Up \$ 5,000,000	48,323,524 1,716,240 50,114,546 183,579,567

Securities carried at \$59,468,002 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2012 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$243,518,971 and surplus as regards policyholders \$193,404,425.

1, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2012.

State of Illinois
City of Schaumburg SS

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2013.

Notary Public

Corporate Secretary

OFFICIAL SEAL DARRYL JOINER Notary Public - State of Illinois My Commission Expires May 3, 2014

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ_that she/he is the Attorney In Fact of
Zurich American Insurance Company the corporation described in and which
executed the above instrument that she/he knows the seal of said corporation; that the
seal affixed to said instrument is such corporate seal; that it was so affixed by order of the
Board of Directors of said corporation, and that she/he signed her/his name thereto by
like order.
(SEAL)

Esther Caben Notary Public of New Jersey My Commission Expires February 18, 2014

### ZURICH AMERICAN INSURANCE COMPANY COMPARATIVE BALANCE SHEET

### ONE LIBERTY PLAZA, 165 BROADWAY, 32nd FLOOR, NEW YORK, NY 10006 As of December 31, 2012 and December 31, 2011

		12/31/2012		12/31/2011
Assets				
Bonds	\$	18,907,466,866	\$	18,985,096,131
Preferred Stock		•		259,036
Common Stock		2,123,025,432		2,068,881,919
Other Invested Assets		2,035,077,824		2,065,634,039
Short-term Investments		126,053,209		107,298,374
Receivable for securities		134,410,839		18,523,294
Cash and cash equivalents		728,298,115		(128,716,627)
Securities lending reinvested collateral assets		225,335,750		120,821,061
Employee Trust for Deferred Compensation Plan		130,493,778		124,809,033
Total Cash and Invosted Assets	\$	24,410,161,814	\$	23,362,606,260
Premiums Receivable	s	3,649,247,239	\$	3,611,868,304
Funds Held with Reinsurers		3,681,443		28,073,922
Reinstrance Recoverable		215,451,507		233,357,918
Accrued Investment Income		121,729,727		149,372,442
Federal Income Tax Recoverable		930,267,731		788,664,462
Due from Affiliates		187,274,289		95,583,016
Other Assets		493,265,075		459,639,011
Total Assets	\$	30,011,078,824		28,729,165,335
Liabilities and Policyholders' Surplus				
Loss and LAE Reserves	\$	14,244,436,264	s	14,401,632,170
Unearned Premium Reserve	-	4,159,670,241	-	4,066,273,586
Funds Hold with Reinsurers		212,412,675		218,214,563
Loss In Course of Payment		408,170,112		353,274,509
Commission Reserve		64,038,359		63,749,920
Federal Income Tax Payable		16,190,044		47,352,138
Remittances and Items Unellocated		196,410,982		69,677, <del>9</del> 03
Payable to parent, subs and affiliates		57,540,814		92,111,683
Provision for Reinsurance		66,649,220		60,498,188
Ceded Relasurance Premiums Payable		551,510,878		278,235,370
Securities Lending Collateral Liability		225,335,750		120,821,061
Other Lightlities		2,166,453,164		1,938,544,837
Total Liabilities	5	22,368,818,502	\$	21,710,385,928
toat Eldulatica	,	22,500,010,501	ą	21,110,363,926
Policyholders' Surplus:				
Common Capital Stock	\$	5,000,000	\$	5,000,000
Paid-In and Contributed Surplus		4,394,131,321		4,394,131,320
Surplus Notes		430,000,000		883,000,000
Special Surplus Funds		43,259,000		396,438,437
Cumulative Unrealized Gain		331,857,594		209,454,958
Unassigned Surplus		2,438,012,408		1,130,754,692
Total Policyholders' Surplus	5	7,642,260,323	5	7,018,779,407
Total Liabilities and Policyholders' Surplus	<u>\$</u>	30,011,078,824	5	28,729,165,335

I, Dennis F. Kerrigan, Corporate Secretary of ZURICH AMERICAN INSURANCE COMPANY do horeby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31st day of December, 2012, according to the best of my information, aboveledge and belief.

State of Illinois County of Cook

} ss:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2013.

OFFICIAL SEAL DARRYL JOINER Notary Public - State of Illinois My Commission Expires May 3, 2014 Notary public

### ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by JAMES M. CARROLL, Vice President, in pursuance of authority granted by Article V. Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Sandra K. WOLF, Alice MCLAUGHLIN, Mary R. MCKEE, Maria L. SPADACCINI and Sherryanne M. DEPIRRO, all of Woodcliff Lake, New Jersey, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its hehalf as surety, and as its act and deed; any and all bonds and undertakings, and the execution of such honds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 21st day of June, A.D. 2012.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND







п.

Assistant Secretary Eric D. Barnes

Vice President James M. Carroll

State of Maryland

City of Baltimore

On this 21st day of June, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified. JAMES M. CARROLL, Vice President, and ERIC D. BARNES, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly swom, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Maria D. Adamski, Notary Public My Commission Expires: July 8, 2015

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKeeto me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Federal Insurance Company the corporation described in and which executed the
above instrument that she/he knows the seal of said corporation; that the seal affixed to
said instrument is such corporate seal; that it was so affixed by order of the Board of
Directors of said corporation, and that she/he signed her/his name thereto by like order.
(SEAL)

Esther Caban Notary Public of New Jersey My Commission Expires February 18, 2014

### FEDERAL INSURANCE COMPANY

### STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS

Statutory Basis

**DECEMBER 31, 2012** 

(in thousands of dollars)

	<i>LIABILITIES</i>					
	AND					
ASSETS	SURPLUS TO POLICYHOLDERS					
Cash and Short Term Investments \$ 402,323	<b>_</b>					
	Outstanding Losses and Loss Expenses \$ 12,627,388					
United States Government, State and	Unearned Premiums 3 416 163					
Municipal Bonds 9,901,519 Other Bonds 4,595,536	Ceded Reinsurance Premiums Payable 364,197					
	Provision for Reinsurance					
Stocks	Other Liabilities					
Other Invested Assets						
TOTAL INVESTMENTS 17,392,372	TOTAL LIABILITIES 17,405,652					
· -						
Investments in Affiliates;						
Chubb Investment Holdings, Inc	Capital Stock					
Pacific Indemnity Company 2,496,198	Deid to Complet					
Chubb Insurance Investment Holdings Ltd 1,228,075	l leasaise and C. ad-					
Executive Risk Indemnity Inc	Onassigned Funds 10,713,227					
CC Canada Holdings Ltd						
Chubb Insurance Company of Australia Limited 517,597	SURPLUS TO POLICYHOLDERS 13,841,016					
Great Northern Insurance Company	SUMPLUS TO POLICYHOLDERS 13,841,016					
Chubb European Investment Holdings SLP 265,490						
Vigilant Insurance Company 246,766						
Other Affiliates						
Premiums Receivable 1,494,693						
Other Assets 1,524,929						
TOTAL ADMITTED ACCETS	TOTAL LIABILITIES AND SURPLUS					
TOTAL ADMITTED ASSETS	TO POLICYHOLDERS\$ 31,246,668					
investments are valued in accordance with requirements						
Investments with a carrying value of \$430,688,714 are de	enosited with government authorities as required by the					
	eposited with government authorities as required by law.					
State, County & City of New York, - ss:						
Yvonne Baker, Assistant Secretary	of the Foderal I.e.					
	of the Federal Insurance Company					
being duly sworn, deposes and says that the foregoing Statement of Assets, Liabilities and Surfaince Company on December 31, 2012 is true and correct and in a true and surfaince Company on December 31, 2012 is true and correct and in a true and surfaince Company on December 31, 2012 is true and correct and in a true and surfaince Company on December 31, 2012 is true and correct and in a true and surfaince Company						
Federal Insurance Company on December 31, 2012 is true and correct and is a true abstract of the Annual Statement of said Company as filed with the Secretary of the Treasury of the United States for the 12 months ending December 31, 2012.						
Subscribed and sworn to before me	ness states for the 12 months ending December 31, 2012,					
this March 31, 2013.						
	1/2-0 Rb					
1// -+/ 2 /	yrong ware					
Worolly Baker	DOROTHY M, BAKER Assistant Secretary					
Notan Public	ary Public, State of New York					
Trocary Fubility	No. 31-4904994 Jalified in New York County					
	nission Expires Sept. 14, 2013					



Chubb Surety

POWER OF **ATTORNEY**  Federal Insurance Company Vigilant Insurance Company Pacific Indemnity Company

Attn: Surety Department 15 Mountain View Road Warren, NJ 07059

Notary Public

Know All by Those Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Sherryanne M. DePirro, Mary R. McKee, Alice McLaughlin, Maria L. Spadaccini and Sandra K. Wolf of Woodcliff Lake, New Jersey -

each as their true and lawful Attorney. In- Fact to execute under such designation in their names and to affer their corporate seals to and deliver for and on their behalf as surely thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than ball bonds) given or executed in the course of business, and any instruments amending or attering the same, and consents to the modification or atteration of any instrument referred to in said bonds or obligations.

in Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested 25th day of January, 2013. these presents and affixed their corporate seals on this

STATE OF NEW JERSEY

County of Somerset

\$5.

25th day of January 25, 2013 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, to me known to be Assistant Secretary of On this FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros, being by me duly swom, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is ecquainted with David B. Noms, Jr., and knows him to be Vice President of said Companies; and that the eignature of David B. Noms, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By- Laws and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR NOTARY PUBLIC OF NEW JEKSEY Nr. 2316685 Commission Explose July 16, 2014

CERTIFICATION

Extract from the By- Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

'All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys- in- Fact, for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile algorature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

1. Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- the foregoing extract of the By- Laws of the Companies is true and correct,
- the Companies are duly licensed and authorized to transact surely business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samos, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- the foregoing Power of Atlomey is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this

104h dayor December, 2015.

David B. Noms, Jr., Vice Bresident







IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903-3493 Fax (808) 903-3656 e-mail: surety@chubb.com

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
The Continental Insurance Company the corporation described in and which
executed the above instrument that she/he knows the seal of said corporation; that the
seal affixed to said instrument is such corporate seal; that it was so affixed by order of the
Board of Directors of said corporation, and that she/he signed her/his name thereto by
like order.

(SEAL)

Esther Coban Notary Pupilic of New Jersey My Commission Expires February 18, 2014

### THE CONTINENTAL INSURANCE COMPANY Radnor, Pennsylvania Statement of Net Admitted Assets and Liabilities December 31, 2012

### **ASSETS**

Bonds Stocks		2	1,918,305,261 152,148,209
Cash and short-term investments			382,477,651
Uncollected premiums and agents' balances			52,728,223
Amounts recoverable from reinsurers			23,547,316
Funds held by or deposited with reinsured co	mpanies		2,365,261
Net deferred tax asset	•		81,173,005
Investment income due and accrued			23,894,634
Other assets			71,841,445
Total Assets		\$	2,708,481,005
	LIABILITIES AND SURPLUS		
Losses		s	763,621,953
Loss adjustment expense			34,421,591
Contingent and other commissions payable			15,556,713
Other expense			7,514,186
Taxes, licenses and fees			44,994,884
Other liabilities			519,410,554
Total Liabilities		_	1,385,519,881
Surplus Account:			
Capital paid up	53,566,360		
Gross paid in and contributed surplus	1,423,436,994		
Special Surplus	5,058,970		
Unassigned funds	(159,101,200)		
Surplus as regards policyholders		5	1,322,961,124
Total Liabilities and Capital		\$	2,708,481,005

I, OJ B. Magana, Assistant Vice President of The Continental Insurance Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2012, as filed with the various Insurance Departments and is a true and correct statement of the condition of The Continental Insurance Company as of that date.

The Continental Insurance Company

Subscribed and swom to me this 25th day of March

My commission expires:

"OFFICIAL SEAL"

KATHLEEN M. SCHROEDER

Notary Public. State of Illinois

My Commission Expires 08/16/15

### POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and scal herein affixed hereby make, constitute and appoint

Alice Mc Laughlin, Mary R Mc Kee, Maria L Spadaccini, Sherryanne M De Pirro, Nicholas F Walsh, Individually

of Woodcliff Lake, NJ, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its hehalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 28th day of October, 2013.



The Continental Insurance Company

Paul T. Bruflat

Vice President

State of South Dakota, County of Minnehaha, ss:

On this 28th day of October, 2013, hefore me personally came Paul T. Brufiat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to he the act and deed of said insurance company.

J. MOHR
SEAL NOTARY PUBLIC SEAL SOUTH DAKOTA SEAL

My Commission Expires June 23, 2015

J. Mohr

Notary Public

### CERTIFICATE



The Continental Insurance Company

D. Bult

Assistant Secretary

Form F6850-4/2012

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
XL Specialty Insurance Company the corporation described in and which executed the
above instrument that she/he knows the seal of said corporation; that the seal affixed to
said instrument is such corporate seal; that it was so affixed by order of the Board of
Directors of said corporation, and that she/he signed her/his name thereto by like order.
(SEAL)

Esther Capan Notary Public of New Jersey My Commission Expires Fabruary 16, 2014

### XL SPECIALTY INSURANCE COMPANY STATUTORY STATEMENT OF ADMITTED ASSETS, LIABILITIES, CAPITAL AND SURPLUS December 31, 2012 (U.S. Dollars)

Assets:		Liabilities:	
Bonds	223,420,324	Loss & loss adjustment expenses	204,536,880
Stocks	68,982,279	Reinsurance payable on paid loss and loss adjustment expenses	1,627,985
Cash and short-term investments	62,647,461	Unearned premiums	37,359,450
Receivable for securitles		Ceded reinsurance premium payable	
Total Invested Assets	355,050,064	Funds held by company under reinsurance treaties	
		Payable for Securities	
		Other Liabilities	28,511,133
		Total Liabilities	272,035,448
Agents Baiances	29,008,573	Capital and Surplus:	
Funds held by or deposited with reinsured companies	39,015,242	Aggregate write-ins for special surplus funds	
		Common capital Stock	5,812,500
Reinsurance recoverable on loss and loss adjustment expense payments		Gross paid in and contributed surplus	127,387,019
Accrued interest and dividends	1,331,044	Unassigned surplus	35,468,090
Other admitted assets	16,298,134	Total Capital and Surplus	168,667,609
Total Admitted Assets	440,703,057	Total Liabilities, Capital and Surplus	440,703,057

I, Andrew Robert Will, Vice President and Controller of XL Specialty Insurance Company (the "Corporation") do hereby certify that to the best of my knowledge and belief, the foregoing is a full and true Statutory Statement of Admitted Assets, Liabilities, Capital and Surplus of the Corporation, as of December 31, 2012, prepared in conformity with the accounting practices prescribed or permitted by the Insurance Department of the State of Delaware. The foregoing statement should not be taken as a complete statement of financial condition of the Corporation. Such a statement is available upon request at the Corporation's principal office located at Seaview House, 70 Seaview Avenue, Stamford, CT 06902-06040.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Corporation at Stamford, Connecticut.

Vice President and Controller

### State of Connecticut

### County of Fairfield

The foregoing financial information was acknowledged before me this 11th of March, 2013 by Andrew Robert Will of XL Specialty Insurance Company on behalf of the corporation.

Notary Public



Power of Attorney

XL Specialty Insurance Company
Greenwich Insurance Company
XL Reinsurance America Inc.

THIS IS NOT A BOND NUMBER
UNLIMITED POWER OF ATTORNEY
XL1509483

KNOW ALL MEN BY THESE PRESENTS: That XL Specialty Insurance Company, Greenwich Insurance Company, Delaware insurance companies with offices located at 505 Eagleview Blvd., Exton, PA 19341, and XL Reinsurance America Inc., a New York insurance company with offices located at 70 Seaview Avenue, Stamford, CT 06902, 7 do hereby nonlinate, constitute, and appoint:

Nicholas F. Walsh, Sherryanne M. DePirro, Maria L. Spadaccini, Alice McLaughlin, Mary R. McKeo

each its true and lawful Attorney(s)-in-fact to make, execute, attest, seal and deliver for and on its behalf, as surety, and as its act and deed, where required, any and all bonds and undertakings in the nature thereof, , for the penal sum of no one of which is in any event to exceed UNLIMITED.

Such bonds and undertakings, when duly executed by the aforesaid Attorney (s) - In: Fact shall be binding upon each said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

The Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Board of Directors of each of the Companies on the 30th day of October 2013.

RESOLVED, that Gary Kaplan, David Hewett, William Mills, Gregory Boal and Kevin Mirsch are hereby appointed by the Board as authorized to make, execute, seal and deliver for and on behalf of the Company, and all bonds, undertakings, contracts or obligations in surety or co-surety with others and that the Secretary or any Assistant Secretary of the Company be and that each of them hereby is authorized to attest the execution of any such bonds, undertakings, contracts or obligations in surety or co-surety and attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that Gary Kaplan, David Hewett, William Mills, Gregory Boal and Kevin Mirsch each is hereby authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute, on behalf of the Company, bonds and undertakings in surety or cosurety with others, and that the Secretary or any Assistant Secretary of the Company be, and that each of them is hereby authorized to attest the execution of any such power of attorney, and to attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that the signature of such officers named in the preceding resolutions and the corporate seal of the Company may be affixed to such powers of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be thereafter valid and binding upon the Company with respect to any bond, undertaking, contract or obligation in surety or co-surety with others to which it is attached.

IN WITNESS WHEREOF, the XL SPECIALTY INSURANCE COMPANY and GREENWICH INSURANCE COMPANY has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this October 30th, 2013.

SEAL S

SEAL STANDED

XL SPECIALTY INSURANCE COMPANY
GREENWICH INSURANCE COMPANY

v: David S. Hewof

SENIOR VICE PRESIDENT

Attest: Tow ann Perkins

and Sim

SECRETARY

On this 30th day of October, 2013, before me personally came David S. Hewett to me known, who, being duly sworn, did depose and say: that he is Senior Vice President of XL SPECIALTY INSURANCE COMPANY and GREENWICH INSURANCE COMPANY, described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to the aforesald instrument is such corporate seals and were affixed thereto by order and authority of the Boards of Directors of said Companies; and that he executed the said instrument by like order.

MOTARY PUBLIC CS. PUBL

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

NOTARY PUBLIC

STATE OF CONNECTION

SB-0034 - 3/11

### NOTICE TO POLICYHOLDERS

### PRIVACY POLICY

The XI, America, Inc. Insuranne group (the "Companies"), believes personal information that we collect about our curronners, polarities carcinomia, and proposed insureds (referred to collectively in this Privacy Policy as "curronners") must be treated by the highest degree of confidentiality. For this reason and in compliance with the Yolle V of the Green's Labellities (GBLAT), we have developed a Privacy Policy that applies to all of our companies. For jumposes of or Privacy Policy, the term "personal information" includes all information we obtain about a customer and majoritie in a personally identifiable way. In order to easing the confidentiality of the personal information was cell actual to earth or comply with applicable laws, all individuals with access to personal information about our customers are required to follow this policy.

### Our Privacy Premise

Your privacy and the confiderability of your business records are important to us. Information and the scalpule of information is assentiate to the baliness of incurance and critical to our ability to provide to you excellent, out-include service and products. We understand that goining and keeping your trust depends upon the record; and integrity of our records containing you. Accordingly, we promise that

- 1. We will follow strict standard of security and confidentiatry to protect any information you share with us or information that we receive that you.

  1. We will very thing and accuracy information regarding your credit and financial status only for the purposes of underwriting, policy accirclestation, or risk meangement and only with reputable references and underwriting, policy accirclestation, or risk meangement and only with reputable references and underwriting, policy accirclestation and the information about you and your business other than the minimum amount of information necessary to entire you about and deliver to you excellent service and products and to administer our business:

- 5.
- information, necessary to write you about and period to you actuated series and produce and committee on bruinness. We will train our employees to hundle information about you or your business in a secure and conflicted the will train our employees authorized to use such information to have access to such information; menter and only permit employees sutherized to use such information to have access to such information; where we will not decide the xit insurance group of Compenies or to the party service providers unless we disclose to you our finish to do so or we employees, or any citalments under any policy of Viv will not disclose medical information about you, your employees, or any citalments under any policy of Viv will not disclose medical information about you, your employees, or any citalments under any policy of Viv will not indees you provide us with written authorization to do so, or unless the disclosure is for any spools buriles as exception provided in the law, spools buriles as exception provided in the law, spools buriles as exception provided in the law, so were also as an exception and excursion, and will advise you how send where to access your account information (unless provibilitied by low), and will advise you how to comact, error or make changes to final information; and
- business in temberging

### Golberton and Sources of information

We collect from a customer or potential customer only the paraonal information that is necessary for (a) desimiling aligibility for the product or service sought by the customer; (b) administating the product or service obtained, and (c) administating the customer about our products and services. The information we collect generally comes from the following sources:

Submission — During the submission process, you provide us with information about you and your business, such as your name, address, phone number, e-mail address, and other types of personal identification information.

- information;
  Ouetes We collect information to enable us to determine your aligibility for the particular insurance product
  Ouetes We collect will vary with the type of
  and to determine the cost of such insurance to you. The information we collect will vary with the type of
- Into the observed maintain records of all transactions with us, our spitiable, and our filled party survice Transactions We will maintain records of all transactions with us, our spitiable, and our filled party survice providers, including your insurance coverage actections, premiums, billing and payment information, claims history, and other information related to your account.

PN CW 02 0605

Page 1 of 9

### NOTICE TO POLICYHOLDERS

- An independent claim adjuster of invextigator, or an atterney of expert involved in the distint. Persons or organizations that conduct sclerific attacks, including actuaries and accountants; An insurance support organization;
  Another insure if to prevent fixed or to properly underwrite a risk;
  A state insurance department or other governmental agency, it required by faderal, state or local larve; or Any persons exhibit to receive information as ordered by a summons, court order, search warrant, or supposed.

### Yiotalion of the Privacy Policy

Any person violating the Privacy Policy will be subject to discipline, up to end including termination.

For more information or to address questions regarding this privacy statement, please contact your broken

### NOTICE TO POLICYHOLDERS

- Chines If you obtain insurance from us, we will maintain records mixtud to any claims that may be made under your policies. The investigation of a dain necessarily twolves collection of a broad range of information about many issues, somes of which does not directly involves collection of a broad range of which does not directly involve you. We will share with you any tooks that we collected short your claims unless we are prohibited by two from doins on. The process of claim investigation, available, and settlement who haves, however, the collection of advice, opinions, and comments from many people, including attempts and experts, to add the claim specialist in determining hower to hardle your claim. In condex to protect the legal and broadching condexibly and privileges associated with such opinions, comments and advice, we will not disclose this information by only and considerable and provide and years the financial Reports— Was may reache information about you and your bushess regarding your crads. We use this information to wently information you provide during the advantagion and quote processes and to help underwrite and provide to you the most accurate and coeffective havening quote we can provide.

### Retention and Correction of Personal Information

We retail personal information only use long as required by our business practices and applicable law, it was become aware that an livers of personal tenormation may be materially fraccurate, we will make transcable effort to re-verify its accuracy and control aimy error as appropriate.

### Sicrane of Personal information

We have in place anteguards to protect duty and paper files containing personal information.

### Shades/Disclosing of Paraceal information

We maintain procedures to sessure that we do not share personal information with an unaffiliated third party for marketing purposes unless such sharing is permitted by low. Personal information may be disclosed to an unaffilted third party for recessary servicing of the product or service or for other normal business transactions. as parmitted by faw.

We do not disclose personal information to an unafficient third party for sending purposes or joint marketing purposes unless a contract containing a confidentially/non-disclosure provision has been signed by us and the third party. Unless a consumer containing, we do not disclose "consumer coefficient report type theoretion obtained from an application or a coefficient point larger standing a consumer with applies for a timental product in any unstituted their party for the purpose of serving as a factor in establishing a consumer's eligibility for except, insurance or employment. "Consumer coeff report type information" resents such things as not worth, credit point (serving the information for the property of the purpose of the party and information (piloting, skydring, etc.) solvency, sto. We also do not disclose to any untilitiated that party a policy or account number for task in marketing. We amy share with our stifficient companies information that resigns to our experience and transactions with the customer.

### Policy for Personal Information Robiting to Monoubig Personal Health Information

We do not disclose nonreuble personal health information about a customer critical an authorization is obtained from the customer whose nonpublic personal information is sought to be disclosed. However, an authorization shall not be prohibited, restricted or required for the disclosers of certain tearence horizons, including, but not limited to, claims adminishration, claims adjustment and stanzagement, detection, invastigation or reporting of actual or places and management, detection, invastigation or reporting of actual or places and management or tearence, these control and/or sudding.

### Access to Your Information

Our employees, employees of our abbitable comparies, and third party service providers will have access to information we collect about you and your business as in hocestary to effect beneatches with you. We may also disclose knownedon about you to the following estagones of person or entities:

Your independent insurance agent or proken

PN CW 02 0606

Page 2 of 3

### NOTICE TO POLICYHOLDERS

### FRAUD NOTICE

rkanses	Any person the knowingly presents a false or saudifiest data for payment of a lose or breaft or throwingly presents false internation in an application for insurance is guilty of a crime on may be subject to fines and confinement in prison.
Colerado	It is uniswallo knowingly provide false, incompiete, or miswading fects or information to an insurance company for the purpose of defaulding or extempting to defauld the company. Pleatities may include imprisonment, fixed, chail of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incompiete, or misleading facts or information to a policyholder or chismant for the purpose of defaulding to attempting to defauld the policyholder or chismant for the purpose of defaulding to attempting to defauld the policyholder or chismant of the purpose of defaulding to attempting to defauld the policyholder or chismant of the purpose of defaulding to attempting to defauld the policyholder or chismant of the purpose
District of Columbia	WARNING: It is a crime to provide talse or misleading information to an insurer for the purpose of debugging the feature or any other person. Penetities include impoleoement and/or free-loaddition, an issuer may deany issuernos benofits if folice information materially nated to a claim was provided by the applicant.
Fiorida	Any person to knowingly and with intent to knive, defined, or deceive any insurance company file a statement of claim or an application containing any false, incomplete, or missianding thormation is guilty of a falony of the fallot degree.
Hawali	For your protection, Hawail sinv requires you to be informed that presenting a fraudulent claim for payment of a loss or benefit is a crime purishable by fines or imprisonment, or both.
Kentucky	Any person the knowingly and with intent to defraud any instrance company or other person files inapplication for insurance containing any makerially false information or concess, fifthe purposes of mislasting, information concerning any fact material thereto correls a fraudulent insurance act, which is a crime.
Louislans	Any person who know hopey presents a false or fraudulent claim for payment of a loss or benefit or knowledly presents false information in an application for insurance is guilty of a crime and any be autiled to these and confinement in prison.
Maine	Il is a citime bloowingly provide false, incomplete or midleading information to an insurance conjuny for the purpose of definiviling the company. Penalities may include imprisonment thes, or denial of insurance benefits.
Maryland	Any person wholesowingly and willfully presents a false or insudalent claim for payment of a loss of beet or who knowingly and willfully presents takes information in an application feteurance is guilty of a crime and may be subject to fined and confinement hydron.

PH CW 01 0210

Page 1

### NOTICE TO POLICYHOLDERS

New Jamey	Array jobs who includes any false or misteading information on an application for are informed policy is subject to criminal and cive penalties.
New Mexico	Array jeten who knowingly presents a talso or fraudillant claim for payment of a los or beatter knowingly presents false information in an application for insurance is guarity is nime and may be subject to civil fines and criminal poneities.
New York	Aff. Gomercial insurance Forms, Except As Provided for Automobile Insurance: Any percent who knowingly and with intent to defraud any insurance construction or this present fisce an apply soft on the resumence or stalement of claim construction, and the purpose of massive any materially false information, or conceasis for the purpose of massive information or conceasing any fact material thereto, commits a fraudulent insurance and, which is a crime, and shell also be subject to a civil penalty not to expect the throughout the conceasing and the stated value of the ciaim for each such violentic.
	Auritorité insurance Forms: Any person who knowingly makes or knowingly assists their, solicits or conspires with another to make a tabs report of the their, described, namege or convenien of any motor vehicle to a law enforcement agramme, he department of motor vehicles of an insurance company, committe a facultation of the surface and, which is a crime, and shot also be subject to a chill penalty not to be subject to a chill penalty not to be subject motor vehicle or staged dish for each violation.
	Fines Instruces: Any person who knowingly and with intent to detraud any fractification and property of a site person files an application for instruction containing any fallers inhumation, or conceals for the purpose of misleading, information concerning any fadiretarief thereto, commits a fracticular insurance act, which is a crime. The proposed insured afforms that the foreign information is two and agrees that these applications that constitute a part of any policy learned whether attached or not and that similar concentration or misrapresentation of a material fact or circumstances whall become care and the insurance policy.
Dh)a	Any person who, with intent to detrand or knowing that he is facilitating a fraud agail and intention, submits an application or the a statement as girtly of insurance fraud.
Mahoma	WARENAC: Any person who knowledy, and with intent to higher, defined or deceive any Enters, makes any claim for the proceeds of an insurance policy containing any hales, kemplote or makes day information is guilty of a falony.
ennsylvanis	Any presentation knowingly and with intent to detraid any insurance company or other peach first an application for insurance or statement of delim containing any master stay has information or conceals for the purpose of misleading, information conceals from the purpose of misleading, information conceals from the artificial insurance act, which is a crimes set subjects such person to criminal and divergenenties.
	Autor Frikkis insurance Forms: Any person who knowingly and with intent to injure or destinationly insurer flee an application or daint containing any tales, incomplete or mise leading information shall, upon conviction, be subject to imprisonment for up to several years and the payment of a fine of up to \$15,000.

PN CW 01 0210

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# NOTICE TO POLICYHOLOERS

## U.S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL ("OFAC")

No coverage is provided by this Policyholder Notice nor can it be construed to replace any prayistons of your policy. You should road your policy and review your Declarations page for complete information on the coverages you are provided.

This Policyholder Notice provides information concerning possible impact on your insurance coverage due to directives based by OFAC and possibly the U.S. Department of State. Plasse read this Policyholder Notice constituty.

OFAC administers and enforces serictions policy based on Presidential declarations of \*national emergency\*. OFAC has leasted and hated numerous

- Foreign agente Front organizations
- Terrorists
- Terrorist organizations
  Narcolics Institute re

as Specially Designated Hattonals and Blocked Persons. This liet can be found on the U.S. Department of the Treasury's web site - http://www.treas.gov/ofec.

The Secretary of the Treasury also has identified a number of artifies in the Insurance, petrolaum, and petrochamicals inclusive determined to be owned or controlled by the Itanian government. Business transactions with any of these antifies are expressly prohibited. These artifies have been added to OFAC's litt of Financial Institutions Determined To Be Owned or Controlled by the Government of Iran. This internal be found on the U.S. Department of the Treasury's web site-http://www.treas.gov/offices/emorcoment/lists/

In accordance with OFAC regulations, or any applicable regulation promulgated by the U.S. Department of State, if it is determined that you or any other instruct, or any parson or entity distinting the benefits of this insurance has violated U.S. sanctions law or is a Specialty Designated National and Blocked Person, as identified by OFAC, this insurance will be considered a blocked or frozen contract and all provisions of this insurance will be immediately subject to OFAC. When an insurance policy is considered to be such a blocked or frozen contract, neither payments nor permium refunds may be middly without authorization from OFAC. Other limitations on the premiums and payments also apply.

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P# CW 05 1010

# NOTICE TO POLICYHOLDERS

Puerto PUco	Any person who knowingly and with the intention to defraud lockides false
	Information is an application for instrumence or fit, exists or about in the fling of a fraudulent claim to obtain payment of a loss or other beneat, or flies more than one claim for the same loss or dramage, commits a slown and if found uply their be published for each violation with a fine of no less then five throwards obtain (\$5,000), not los acceed its housands obtain (\$6,000), or imprisoned for a fixed of the many by the committee of the first of the
Rhode Island	Any berson who knowingly presents a faite or fraudulent claim for payment of a loss or benefitor knowingly presents faite information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
Tennessee	It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Pecalles include imprisonment, fines and denial of insurance barrafts.
	Workers Companiation: It is a crime to knowingly provide falso, locomplete or misleading information to any party to a workers companied in intersection for the purpose of committing fraud. Penalties include imprisonment, fines and denial of instrumos benefits.
Utch	Workers Companisation: Any parson who knowingly presents felse or transdutent underwriting information, files or caused to be filed a false or fraudulent datm for disability companished or madical bepetts, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to false and commemont in state pisson.
Virginia	It is a crime to knowingly provide false, incomplate or misleading information to an insulating company for the purpose of destauding the company. Panalize include imprisonment, since and denial of insurance barefix.
Washington	il is a ortine to knowingly provide false, incomplets or misleading information to an insurance company for the purpose of dehauding the company. Penathes include imprisonment, fines and defini of insurance benefits.
West Virginia	Any person who knowledly presents a false or fraudulent dairn for payment of a loss or benefit or knowledly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in price.
All Other States	Any Person who knowingly and willfully proteins tales information in an application for insurance may be guilty of insurance fraud and subject to fines and confinement in prison.

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Executed in Triplicate
Premium: Included in
Performance Bond Charge

Liberty Bond No. 015042022, Travelers Bond No. 106001829, F&D/Zurich Bond No. 9140477 Federal Bond No. 82320076, CNA Bond No. 929573542, XL Bond No. SUR7402456

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

Bond No.	 	 	 ·-··

# PAYMENT BOND

(Section 3247, Civil Code)

WHEREAS, the State of California, Department of Transportation, hereafter referred to as "Obligee", has awarded to Contractor

# **FLATIRON WEST INC**

Dated:

(SEAL)

hereafter referred to as "Principal", a contract for the work described as follows:

01-479404 01-DN-199-20.3/25.9

Widen shoulders with HMA over AB, replace bridge and const ret walls.

AND, WHEREAS, said Principal is required to furnish a bond in connection with said contract, to secure the payment of claims of laborers, mechanics, materialmen and other persons as provided by law.

NOW.THEREFORE, we the undersigned Principal and Surety are bound unto the Obligee in the sum of

# Thirteen million six hundred twenty four thousand one hundred fifty seven and 50/100

dollars (\$ 13.624.157.50) for which payment we bind ourselves, jointly and severally.

# THE CONDITION OF THIS OBLIGATION IS SUCH,

That if said Principal or its subcontractors shall fail to pay any of the persons named in Civil Code Section 3181, or amounts due under the unemployment insurance Code with respect to work or labor performed by such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise tax Board from wages of employees of the Principle and his subcontractors pursuant to Section 18806 of the Revenue and Taxation Code, with respect to such work and labor, that the surety herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In case suit is brought upon this bond, the surety will pay a reasonable attorney's fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons named in Civil Code Section 3181 as to give a right of action to such persons or their assigns in any suit brought upon this bond.

DEC 1 0 2013

Correspondence or claims relating to this bond should he sent to the surety at the following address:  Liberty Mutual Insurance Company  450 Plymouth Road, Suite 400	FLATIRON WEST INC  By  RICHARD GRABINSKI, Principal VICE PRESIDENT  See Attachment A  Surety
Plymouth Meeting, PA 19462	By See Attachment A
	Attorney-in-fact e properly acknowledged, and a Power of Attorney attached. PURPOSE ACKNOWLEDGMENT
State of California County of SOLANO On this DECEMBER 24, 2013 before me	, LILLIAN M. SIMON, NOTARY PUBLIC
Date personally appeared RICHARD GRABINSE	Here Insert Name and Title of the Officer
VICE PRESIDENT OF FLA	Name(s) of Signer(s) ATIRON WEST INC.
and acknowledged to me that he/she/they executed the same	e the person(s) whose name(s) is/are subscribed to the within instrument e in his/her/their authorized capacity(ics), and that by his/her/their son hehalf of which the person(s) acted, executed the instrument.
	the State of California that the foregoing paragraph is true and correct.

# ATTACHMENT A

Executed in Triplicate

Liberty Bond No. 015042022
Travelers Bond No. 106001829
F&D/Zurich Bond No. 9140477
Federal Bond No. 82320076
C N A Bond No. 929573542
XL Bond No. SUR7402456

Liberty Mutual Insurance Company, a Massachusetts Corporation;
Travelers Casualty and Surety Company of America; a Connecticut Corporation
Fidelity and Deposit Company of Maryland, a Maryland Corporation
Zurich American Insurance Company, a New York Corporation;
Federal Insurance Company, an Indiana Corporation;
The Continental Insurance Company, a Pennsylvania Corporation;
XL Specialty Insurance Company, a Delaware Corporation

Liberty Mutual Insurance Company – A.M. Best Rating A XV 175 Berkeley Street, Boston, MA 02116 - Fax (212)-221-5608 Contact: David D. Roberts, Branch Manager – (212) 719-7750 – davidd.roberts@libertymutual.com

Travelers Casualty and Surety Company of America – A.M. Best Rating A+ XV Construction Services, One Tower Square, Hartford, CT 06183 Contact: Brian Bialaski – VP, (860) 277-1914, Fax –(860)-277-3931 – bbialaski@travelers.com

Fidelity and Deposit Company of Maryland/Zurich American Insurance Company - A.M. Best Rating A+XV

1400 American Lane, Schaumburg, IL 60196 - Fax (410)-261-7957

Contact: Thomas McClellan, Sr. Underwriting Officer - (410)-559-8730 - tom.mcclellan@zurichna.com

Federal Insurance Company – A.M. Best Rating A++ XV 15 Mountain View Road, Warren, NJ 07061 – Fax (908)-526-2060 – mlubin@chubb.com Contact: Matthew Lubin, Director, National Engineering and Construction Group – (908) 903-3461

The Continental Insurance Company - A.M. Best Rating A XV 333 S. Wabash Avenue, 41<sup>st</sup> Floor, Chicago, IL 60604 - Fax (212)-440-7351 Contact: Jon Fullerton, Branch Manager (212)-440-7356 - jon.fullerton@cnasurety.com

XL Specialty Insurance Company – A.M. Best A XV Seaview House, 70 Seaview Avenue, Stamford, CT 06902 – Fax (410)-385-8010 Contact: William Mills, Senior VP, - (410)-385-8411 – bill.mills@xlgroup.com

Mary L. McKee, Attorney-in-Fact

Maria L. Spadaccini

Witness:

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Liberty Mutual Insurance Company the corporation described in and which executed
the above instrument that she/he knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so affixed by order of the Board of
Directors of said corporation, and that she/he signed her/his name thereto by like order.
(SEAL)

Esther Capan Notary Public of New Jersey My Commission Expires February 18, 2914



# LIBERTY MUTUAL INSURANCE COMPANY

# FINANCIAL STATEMENT — DECEMBER 31, 2012

Assets	Liabilities			
Cash and Bank Deposits \$ 903,711,694	Unearned Premiums\$4,205,141,671			
*Bonds — U.S Government	Reserve for Claims and Claims Expense 17,056,420,207			
*Other Bonds 11,415,194,219	Funds Held Under Reinsurance Treaties 1,315,062,091			
	Reserve for Dividends to Policyholders			
*Stocks 8,104,853,899	Additional Statutory Reserve 49,768,998			
Real Estate	Reserve for Commissions, Taxes and			
Agents' Balances or Uncollected Premiums 3,482,069,753	Other Liabilities			
Accrued Interest and Rents	Total\$25,694,899,915			
	Special Surplus Funds \$604,621,497			
Other Admitted Assets	Capital Stock 10,000,000			
	Paid in Surplus			
	Unassigned Surplus 5,996,373,279			
Total Admitted Assets	Surplus to Policyholders14.510.466,662			
	Total Liabilities and SurplusS40.205,366,577			



I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2012, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 25th day of March, 2013.

TAMulalyeursla

Assistant Secretary

<sup>\*</sup> Bonds are stated at amortized or investment value; Stocks at Association Market Values.

The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6320282

American Fire and Casualty Company The Ohio Casualty Insurance Company Liberty Mutual Insurance Company West American Insurance Company

# POWER OF ATTORNEY

	all of the city of <u>Woodcliff Lake</u> , state of <u>NJ</u> each individually if there be more than one named, its true and law and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other sure be as binding upon the Companies as if they have been duly signed by the president and altested by the secretary of the Companies as if they have been duly signed by the president and altested by the secretary of the Companies as if they have been duly signed by the president and altested by the secretary of the Companies.	ely obligations, in pursuance of these presents and shall es in their own proper persons.
_1	IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the liberation of the Companies and the companies are considered by the constant and the companies are considered by the constant and the constant are considered by the constant are considered by the constant are constant and the constant are constant and the constant are constant are constant are constant and the constant are constant.	he corporate seals of the Companies have been affixed
		American Fire and Casualty Company
l		The Ohio Casualty Insurance Company
l		Liberty Mutual Insurance Company
		West American Insurance Company
l	By:	Eugen h Darine
	STATE OF WASHINGTON SS	Gregory W. Davenport, Assistant Secretary
	COUNTY OF KING	
	On this 17th day of October , 2013, before me personally appeared Gregory W. Davenport, who acknowled Fire and Casualty Company, Liberty Mutual insurance Company, The Ohio Casualty Company, and West American Insurance Co execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly a	mpany, and that he, as such, being authorized so to do, authorized officer.
	in Witness Whereof, I have hereunto subscribed my name and affixed my notarial seal at Sealtle, Washington, on the day an	d year first above written.
		V N P. I.
	By:	KD Riley, Notan Public
		KD Riley, Notast Public
	This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of Arnerican F Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and	ire and Casualty Company, The Ohio Casualty Insurance effect reading as follows:
	ARTICLE IV - OFFICERS - Section 12. Powar of Attorney. Any officer or other official of the Corporation authorized for that purpos to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or author the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers grains.	act in behalf of the Corporation to make, execute, seal, -fact, subject to the limitations set forth in their respective to attach thereto the seal of the Corporation. When so by granted to any representative or altomey-in-fact under
	ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be ned seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such at respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments executed such instruments shall be as binding as if signed by the president and attested by the secretary.	that purpose in writing by the chairman or the president, essary to act in behalf of the Company to make, execute, torneys-in-fact subject to the limitations set forth in their
_	Certificate of Designation — The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Greq attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seat, acknowledge and deliver as surother surety obligations.	ory W. Davenport, Assistant Secretary to appoint such ety any and all undertakings, bonds, recognizances and
	Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimite or mechanica Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety to the same force and effect as though manually affixed.	lly reproduced signature of any assistant secretary of the oonds, shall be velid and binding upon the Company with
	I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct co	Company, Liberty Mutual Insurance Company, and West
	is in full force and effect and has not been revoked.	

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Travelers Casualty and Surety Company of America the corporation described in
and which executed the above instrument that she/he knows the seal of said corporation;
that the seal affixed to said instrument is such corporate seal; that it was so affixed by
order of the Board of Directors of said corporation, and that she/he signed her/his name
thereto by like order.
(SEAL)

Esther Caban Notary Public of New Jersey My Commission Expires February 18, 2014

# TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

# HARTFORD, CONNECTICUT 08163

### FINANCIAL STATEMENT AS OF DECEMBER 31, 2012

### CAPITAL STOCK \$ 6,480,000

ASSETS		LIABILITIES & BURPLUS			
CASH AND INVESTED CASH DONDS INVESTMENT INCOME DUE AND ACCRUED OTHER INVESTED ASSETS PREMIUM BALANCE8 NET DEFERRED TAX ASSET REINSURANCE RECOVERABLE SECURITIES LENDING REINVESTED COLLATERAL ASSETS RECEIVABLES FROM PARENT, SUBSIDIARIES AND AFFILIATES UNDISTRIBUTED PAYMENTS OTHER ASSETS	\$ 15,038,791 3,713,171,018 50,708,732 280,730,897 194,942,508 63,274,378 12,410,624 7,769,165 11,060,470 (1,430,585) 684,093	UNEARNED PREMIUMS LOSSES REINSURANCE PAYABLE ON PAID LOSSES & LOSS ADJ. EXPENSES CLOSS ADJUSTMENT EXPENSES CDMMISSIONS TAXES, LICENSES AND FEES OTHER EXPENSES FUNDS HELD UNDER REINSURANCE TREATIES CURRENT FEDERAL AND FOREIGN INCOME TAXES REMITTANCES BAYO ITEMS NOT ALLOCATED AMOUNTS WITHHELD / RETAINED BY COMPANY FOR OTHERS RETROACTIVE REINSURANCE RESERVE ASSUMED POLICYHOLDER OF DIVIDENOS PROVISION FOR REINSURANCE AOVANCE PREMIUM PAYABLE FOR SECURITIES LENDING CEDED REINSURANCE NET PREMIUMS PAYABLE ESCHEAT LIABILITY OTHER ACCRUED EXPENSES AND LIABILITIES TOTAL LIABILITIES  CAPITAL STOCK PAID IN SURPLUS OTHER SURPLUS TOTAL SURPLUS TO POLICYHOLDERS	\$ 783,409,692 901,058,71D 1,448,021 534,370,680 28,281,779 86,762,884 35,588,897 94,449,544 50,675,573 19,270,931 70,084,608 3,163,164 6,739,121 6,314,325 726,808 7,769,154 (70,603,744) 526,399 282,062 \$ 2,559,106,957  \$ 6,480,000 433,803,760 1,349,186,061 \$ 1,780,451,621		
TOTAL AGGETS	\$ 4,339,658,778	TOTAL LIABILITIES & SURPLUS	\$ 4,339,658,778		

STATE OF CONNECTICUT ) COUNTY OF HARTFORD ) 6S.

CITY OF HARTFORD

MICHAEL J. DOODY, BEING DULY SWORN, SAYS THAT HE IS SECOND VICE PRESIDENT, DE YRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE FOREGOING 18 A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID COMPANY AS OF THE 319T DAY OF DECEMBER, 2012.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY OF MARCH, 2013

SUSAN M. WEISSLEDER Notary Public My Commission Expires November 30, 2017

# WARNING; THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER



# POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company Travelers Casualty and Surety Company Travelers Casualty and Surety Company of America United States Fidelity and Guaranty Company

Attorney-In Fact No.

227173

Certificate No. 005646640

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Alice McLaug	hlin, Mary R. I	McKee, Sherryann	e M. DePirro, M	aria L. Spadacci	ni, and Nicholas	F. Walsh		
other writings obi	igatory in the na	ake fore than one is name ture thereof on behi eeing bonds and und	uf the Compan	ies in their busine	ss of guaranteeing	the fidelity of no	rsons, guaranteein	d Attorney(s)-in-Fact, and undertakings and up performance of
WITNESS W. Septer	HEREOF, the C	Companies have caus	cd this instrument	to be signed and t	heir corporate sea	ls to be hereto affi	xed, this	19th
		Farmington Casna Fidelity and Guar Fidelity and Guar St. Paul Fire and I St. Paul Guardian	onty Insurance C onty Insurance U Marine Insurance	nderwriters, Inc. Company	Trav Trav	elers Casualty ar elers Casualty ar	urance Company id Surety Compa id Surety Compa and Guaranty C	ny of America
1982 S	1977	MCONFORMED STATES		SEAL S	SEAL S	HAITTORD, TO COINT.	(Section of the contract of th	TROOTS AND THE STATE OF THE STA
State of Connectic City of Hartford s					Ву:	Robert L. Rane	y, Senior Vice Presid	ent
Fire and Marine In Casualty and Sure	President of Far istrance Comparty ty Company of A	ης. St. Paul Guardia	ompany, Fidelity a 1 Insurance Compa   States Fidelity an	and Guaranty Insuranty Insuranty St. Paul Merc d Guaranty Comm	ance Company, E ury Insurance Cor any, and that he, i	idelity and Guarar inpany, Travelers ( is such, being aut	ity Insurance Unde	cnowledged himself to erwriters, Inc., St. Paul y Company, Travelers executed the foregoing
		et my hand and offic lay of June, 2016.	ial seal.	TETRE A	*******	Man.	iu C. J arie C. Tetreault. Not	<u>theault</u>

58440-8-12 Printed in U.S.A.

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Fidelity and Deposit Company of Maryland the corporation described in and
which executed the above instrument that she/he knows the seal of said corporation; that
the seal affixed to said instrument is such corporate seal; that it was so affixed by order of
the Board of Directors of said corporation, and that she/he signed her/his name thereto by
like order.

(SEAL)

Esther Capan Notary Public of New Jersey My Commission Expires February 16, 2014

# FIDELITY AND DEPOSIT COMPANY

OF MARYLAND 600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

# Statement of Financial Condition As Of December 31, 2012

# ASSETS

.105515	
Bonds\$	157,177,826
Bonds	23,000,311
Cash and Short Term Investments	119,155
Reinsurance Recoverable	17,923,564
Other Accounts Receivable	35,473,256
TOTAL ADMITTED ASSETS	233,694,113
LIABILITIES, SURPLUS AND OTHER FUNDS  Reserve for Taxes and Expenses. \$  Ceded Reinsurance Premiums Payable. \$  Securities Lending Collateral Liability. \$  TOTAL LIABILITIES. \$  Capital Stock, Paid Up. \$  Surplus as regards Policyholders. \$  Torak	48,323,524 1,716,240 50,114,546
TOTAL	233,694,113

Securities carried at \$59,468,002 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2012 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$243,518,971 and surplus as regards policyholders \$193,404,425.

I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2012.

State of Illinois City of Schaumburg

SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2013.

Notary Public

Corporate Secretary

OFFICIAL SEAL DARRYI, JOINER Notary Public - State of Illinois My Commission Expires May 3, 2014

allowed house the advantage of the advan

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Zurich American Insurance Company the corporation described in and which
executed the above instrument that she/he knows the seal of said corporation; that the
seal affixed to said instrument is such corporate seal; that it was so affixed by order of the
Board of Directors of said corporation, and that she/he signed her/his name thereto by
like order.
(SEAL)

Esther Crisen Notery Public of New Jersey My Commission Expires February 18, 2014

# ZURICH AMERICAN INSURANCE COMPANY COMPARATIVE BALANCE SHEET

# ONE LIBERTY PLAZA, 165 BROADWAY, 32nd FLOOR, NEW YORK, NY 10006 As of December 31, 2012 and December 31, 2011

		12/31/2012		12/31/2011
Assels				
Bonds	\$	18,907,466,866	\$	18,985,096,131
Preferred Stock				259,036
Common Stock		2,123,025,432		2,068,881,919
Other Invested Assets		2,035,077,824		2,065,634,039
Short-term Investments		126,053,209		107,298,374
Receivable for securities		134,410,839		18,523,294
Cash and cash equivalents		728,298,115		(128,716,627)
Securities lending reinvested colluteral assets		225,335,750		120,821,061
Employee Trust for Deferred Compensation Plan		130,493,778		124,809,033
Total Cash and Invosted Assets	3	24,410,161,814	\$	23,362,606,260
Premiums Receivable	\$	3,649,247,239	\$	3,611,868,304
Funds Held with Reinsurers		3,681,443		28,073,922
Reinsurance Recoverable		215,451,507		233,357,918
Accrued Investment Income		121,729,727		149,372,442
Federal Income Tax Recoverable		930,267,731		788,664,462
Due from Affiliates		187,274,289		95,583,016
Other Assets		493,265,075		159,639,011
Total Assets	\$	30,011,078,824	\$	28,729,165,335
Liabilities and Policyholders' Surplus				
Liabilities:				
Loss and LAE Reserves	\$	14,244,436,264	\$	14,401,632,170
Uncarned Premium Reservo		4,159,670,241		4,065,273,586
Funds Held with Reinsurers		212,412,675		218,214,563
Loss In Course of Payment		408,170,112		353,274,509
Commission Reserve		64,038,359		63,749,920
Federal Income Tax Payable		16,190,044		47,352,138
Remittances and Items Unallocated		196,410,982		69,677,903
Payable to parent, subs and affiliates		57,540,814		92,111,683
Provision for Reinsurance		66,649,220		60,498,188
Ceded Reinsurance Premiums Poyable		551,510,878		278,235,370
Securities Landing Collatoral Liability		225,335,750		120,821,061
Other Liabilities		2,160,453,164		1,938,544,837
Total Liabilities	\$	22,368,818,502	\$	21,710,385,928
Policyholders' Surplus:				
Comoton Capital Stock	\$	5,000,000	\$	5,000,000
Paid-In and Contributed Surplus		4,394,131,321		4,394,131,320
Surplus Notes		430,000,000		883,000,000
Special Surplus Funds		43,259,000		396,438,437
Cumulative Unrealized Gain		331,857,594		209,454,958
Unassigned Surplus		2,438,012,408		1,130,754,692
Total Policyholders' Surplus	\$	7,642,260,323	5	7,018,779,407
Total Linbilities and Policyholders' Surplus	<u>\$</u>	30,011,078,824	3	28,729,165,335

I, Dennis F, Kerrigan, Corporate Secretary of ZURICH AMERICAN INSURANCE COMPANY do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31st day of December, 2012, according to the best of my information, knowledge and belief.

State of Illinois County of Cook

SS:

Subscribed and swom to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of Morch, 2013.

OFFICIAL SEAL DARRYL JOINER Notary Public - State of Illinois My Commission Expires May 3, 2014 Notary public

# ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by JAMES M. CARROLL, Vice President, in pursuance of authority granted by Article V. Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Sandra K. WOLF, Alice MCLAUGHLIN, Mary R. MCKEE, Maria L. SPADACCINI and Sherryanne M. DEPIRRO, all of Woodcliff Lake, New Jersey, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed; any and all honds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York, the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills. Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V. Section 8, uf the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 21st day of June, A.D. 2012.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY COLONIAL AMERICAN CASUALTY AND SURETY COMPANY FIDELITY AND DEPOSIT COMPANY OF MARYLAND







Lie D. Barry Assistant Secretary

Eric D. Barnes

Vice President James M. Carroll

diamin's

State of Maryland City of Baltimore

On this 21st day of June, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified. JAMES M. CARROLL, Vice President, and ERIC D. BARNES, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and south, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Maria D. Adamski, Notary Public My Commission Expires: July 8, 2015

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
Federal Insurance Company the corporation described in and which executed the
above instrument that she/he knows the seal of said corporation; that the seal affixed to
said instrument is such corporate seal; that it was so affixed by order of the Board of
Directors of said corporation, and that she/he signed her/his name thereto by like order.
(SEAL)

Esther Capan Notary Public of New Jersey My Commission Expires February 18, 2014

# FEDERAL INSURANCE COMPANY

# STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS

Statutory Basis

# **DECEMBER 31, 2012**

(in thousands of dollars)

**LIABILITIES** AND

		AND	
ASSETS		SURPLUS TO POLICYHOL	DERS .
Cash and Short Term Investments United States Government, State and Municipal Bonds Other Bonds Stocks Other Invested Assets	9,901,519 4,595,536 811,166	Outstanding Losses and Loss Expenses Unearned Premiums Ceded Reinsurance Premiums Payable Provision for Reinsurance Other Liabilities	. 3,416,163 . 364,197 . 62,250
	- 1,001,020		
TOTAL INVESTMENTS	17,392,372	TOTAL LIABILITIES	. 17,405,652
Investments in Affiliates: Chubb Investment Holdings, Inc	3,352,969 2,496,198 1,228,075 1,100,637	Capital Stock Paid-In Surplus Unassigned Funds	. 3,106,809
CC Canada Holdings Ltd	438,592 265,490 246,766 429,458 1,494,693	SURPLUS TO POLICYHOLDERS	13,841,016
		TOTAL LIABILITIES AND SURPLUS	ļ
TOTAL ADMITTED ASSETS	\$ 31,246,668	TO POLICYHOLDERS	. \$ 31,246,668
Investments are valued in accordance value of \$4  Investments with a carrying value of \$4  State, County & City of New York, — ss:	vith requirements 130,688,714 are d	of the National Association of Insurance Compeposited with government authorities as required.	missioners. red by law.
Yvonne Baker, Assis	stant Secretary	of the Federal Insurance Comp	nonu
being duly sworn, deposes and says that the Federal Insurance Company on December 3 Company as filed with the Secretary of the Subscribed and sworn to before me	e foregoing State	ement of Assets, Liabilities and Surplus to Polind correct and is a true abstract of the Annual Salted States for the 12 months ending Decemb	cyholders of said Statement of said
this March 31, 2013.		1/	0 6
0 ,, 2 1		- Grand	to alle
Monothy Baker Notary Public	Q	ary Public, State of New York No. 31-4904994 ualified in New York County	sistant Secretary
	Com	mission Expires Sept. 14, 2013	<del></del>



Chubb Surety POWER OF ATTORNEY Federal Insurance Company Vigilant Insurance Company Pacific Indemnity Company Attn: Surety Department 15 Mountain View Road Warren, NJ 07059

Ynow All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Sherryanne M. DePirro, Mary R. McKee, Alice McLaughlin, Maria L. Spadaccini and Sandra K. Wolf of Woodcliff Lake, New Jersey

each as their true and lewful Attorney- in- Fact to execute under such designation in their names and to affix their corporate seats to and deliver for and on their behalf as surely thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

in Witness Whereof, seld FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 25th day of January, 2013.

Dawn M. Chloros, Assistant Secretary

STATE OF NEW JERSEY

County of Somerset

\$5.

David B. Nords, Jr., Vice Bresident

On this 25th day of January 25, 2013 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By- Laws and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR NOTARY PUBLIC OF NEW JEIGSFY No. 2316685 Commission Explain July 14, 2014

CERTIFICATION

Extract from the By- Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PAGIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any cartificate relating thereto appointing Assistant Secretary and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I. Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

(i) the foregoing extract of the By- Laws of the Companies is true and correct,

- (ii) the Companies are duly licensed and authorized to transact surely business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigillant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this

1046

day of December, 2013,





Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656

e-mail: surety@chubb.com

Form 152

(SEAL)

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
The Continental Insurance Company the corporation described in and which
executed the above instrument that she/he knows the seal of said corporation; that the
seal affixed to said instrument is such corporate seal; that it was so affixed by order of the
Board of Directors of said corporation, and that she/he signed her/his name thereto by
like order.

Esther Criben Notary Public of New Jersey My Commission Expires February 18, 2014

# THE CONTINENTAL INSURANCE COMPANY Radnor, Pennsylvania Statement of Net Admitted Assets and Liabilities December 31, 2012

# **ASSETS**

Bonds Stocks		2	1,918,305,261
Cash and short-term investments			152,148,209
Uncollected premiums and agents' balances			382,477,651
Amounts recoverable from reinsurers			52,728,223
Funds held by or deposited with reinsured cor			23,547,316
Net deferred tax asset	phanes		2,365,261
Investment income due and accrued			81,173,005
Other assets			23,894,634
Total Assets			71,841,445
Total Assets		\$	2,708,481,005
	LIABILITIES AND SURPLUS		
Losses		s	763,621,953
Loss adjustment expense			34,421,591
Contingent and other commissions payable			15,556,713
Other expense			7,514,186
Taxes, licenses and fees			44,994,884
Other liabilities			519,410,554
Total Liabilities			1,385,519,881
Surplus Account:			1,500,515,001
Capital paid up	53,566,360		
Gross paid in and contributed surplus	• •		
Special Surplus	1,423,436,994		
Unassigned funds	5,058,970		
•	(159,101,200)		
Surplus as regards policyholders  Total Liabilities and Conital		2_	1,322,961,124
Total Liabilities and Capital		\$	2,708,481,005

I, OJ B. Magana, Assistant Vice President of The Continental Insurance Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2012, as filed with the various Insurance Departments and is a true and correct statement of the condition of The Continental Insurance Company as of that date.

The Continental Insurance Company

By Assistant Vide registent

Subscribed and sworm to me this 25th day of March , 2013.

My commission expires:

"OFFICIAL SEAL"
KATHLEEN M. SCHROEDER
Notary Public. State of Illinois
My Commission Expires 08/16/15

# POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Alice Mc Laughlin, Mary R Mc Kee, Maria L Spadaccini, Sherryanne M De Pirro, Nicholas F Walsh, Individually

of Woodcliff Lake, NJ, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

#### - In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 28th day of October, 2013.



The Continental Insurance Company

Paul T. Bruffat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 28th day of October, 2013, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.

J. MOHR

NOTARY PUBLIC

SEAL SOUTH DAKOTA SEAL

My Commission Expires June 23, 2015

J. Mohr Notary Public

# CERTIFICATE

> INSUR IN

The Continental Insurance Company

D. Bult Assistant Secretary

Form F6850-4/2012

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 10th day of <u>December</u> , 2013, before me personally came
Mary R. McKee to me known, who, being by me duly sworn, did depose and
say that she/he resides in Saddle Brook, NJ that she/he is the Attorney In Fact of
XL Specialty Insurance Company the corporation described in and which executed the
above instrument that she/he knows the seal of said corporation; that the seal affixed to
said instrument is such corporate seal; that it was so affixed by order of the Board of
Directors of said corporation, and that she/he signed her/his name thereto by like order.
(SEAL)

Esther Caban Notary Public of New Jemey My Commission Expires February 18, 2014

# XL SPECIALTY INSURANCE COMPANY STATUTORY STATEMENT OF ADMITTED ASSETS, LIABILITIES, CAPITAL AND SURPLUS December 31, 2012 (U.S. Dollars)

Assets:		Liabilities:	
Bonds	223,420,324	Loss & loss adjustment expenses	204,536,880
Stocks	68,982,279	Reinsurance payable on paid loss and loss adjustment expenses	1,627,985
Cash and short-term investments	52,647,461	Unearned premiums	37,359,450
Receivable for securities		Ceded reinsurance premium payable	
Total invested Assets	355,050,064	Funds held by company under reinsurance treaties	
		Payable for Securities	
		Other Liabilities	28,511,133
		Total Liabilities	272,035,448
Agents Balances	29,008,573	Capital and Surplus:	
Funds held by or deposited with reinsured	39,015,242	Aggregate write-ins for special surplus funds	
companies		Common capital Stock	5,812,500
Reinsurance recoverable on loss and loss adjustment expense payments		Gross paid in and contributed surplus	127,387,019
Accrued interest and dividends	1,331,044	Unassigned surplus	35,468,090
Other admitted assets	16,298,134	Total Capital and Surplus	168,667,609
Total Admitted Assets	440,703,057	Total Liabilities, Capital and Surplus	440,703,057

I, Andrew Robert Will, Vice President and Controller of XL Specialty Insurance Company (the "Corporation") do hereby certify that to the best of my knowledge and belief, the foregoing is a full and true Statutory Statement of Admitted Assets, Liabilities, Capital and Surplus of the Corporation, as of December 31, 2012, prepared in conformity with the accounting practices prescribed or permitted by the Insurance Department of the State of Delaware. The foregoing statement should not be taken as a complete statement of financial condition of the Corporation. Such a statement is available upon request at the Corporation's principal office located at Seaview House, 70 Seaview Avenue, Stamford, CT 06902-06040.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Corporation at Stamford, Connecticut.

Vice President and Controller

# State of Connecticut

# County of Fairfield



Power of Attorney
XL Specialty Insurance Company
Greenwich Insurance Company
XL Reinsurance America Inc.

THIS IS NOT A BOND NUMBER UNLIMITED POWËR OF ATTORNEY XL1509484

KNOW ALL MEN BY THESE PRESENTS: That 'XL Specialty Insurance Company, Greenwich Insurance Company, Delaware insurance companies with offices located at 505 Eagleview Blvd., Exton, PA 19341, and XL Reinsurance America Inc., a New York insurance company with offices located at 70 Seaview Avenue, Stamford, CT 06902, do hereby nominate, constitute, and appoint:

Nicholas F. Walsh, Sherryanne M. DaPirro, Maria L. Spadnocini, Alice McLaughlin, Mary R. McKee

each its true and lawful Attorney(s)-in-fact to make, execute, attest, seal and deliver for and on its behalf, as surety, and as its act and deed, where required, any and all bonds and undertakings in the nature thereof, , for the penal sum of no one of which is in any event to exceed UNLIMITED,

Such bonds and undertakings, when duly executed by the aforesaid Attorney (s) - in Fact shall be binding upon each said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

The Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Board of Directors of each of the Companies on the 30th day of October 2013,

RESOLVED, that Gary Kaplan, David Hewett, William Mills, Gregory Boal and Kevin Mirsch are hereby appointed by the Board as authorized to make execute, seal and deliver for and on behalf of the Company and all bonds, undertakings, contracts or obligations in surety or co-surety with others and that the Secretary or any Assistant Secretary of the Company be and that each of them hereby is authorized to attest the execution of any such bonds, undertakings, contracts or obligations in surety or co-surety and attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that Gary Kaplan, David Hewett, William Mills, Gregory Boal and Kevin Mirsch each is hereby authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute, on behalf of the Company, bonds and undertakings in surety or cosurety with others, and that the Secretary or any Assistant Secretary of the Company be, and that each of them is hereby authorized to attest the execution of any such power of attorney, and to attach thereto the corporate seal of the Company,

RESOLVED, FURTHER, that the signature of such officers named in the preceding resolutions and the corporate seal of the Company may be affixed to such powers of attorney or cartificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures of facsimile seal shall be thereafter valid and binding upon the Company with respect to any bond, undertaking, contract or obligation in surety or coursety with others to which it is attached.

IN WITNESS WHEREOF, the XL SPECIALTY INSURANCE COMPANY and GREENWICH INSURANCE COMPANY has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this October 30th, 2013.

SEAL S

XL SPECIALTY INSURANCE COMPANY GREENWICH INSURANCE COMPANY

ву: ()

David S. Hevolf

SENIOR VICE PRESIDENT

marine

Pour ann Perkins

SECRETARY

STATE OF CONNECTICUT COUNTY OF FAIRFIELD

On this 30th day of October, 2013, before me personally came David S. Hewett to me known, who, being duly sworn, did depose and say: that he is Senior Vice President of XL SPECIALTY INSURANCE COMPANY and GREENWICH INSURANCE COMPANY, described in and which executed the above instrument; that he knows the seals of Said Companies; that the seals affixed to the aforesaid instrument is such corporate seals and were affixed thereto by order and authority of the Boards of Directors of said Companies; and that he executed the said instrument by like order.

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OF CONNECT

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STATE OF CONNECTICUT

SB=0034 - 3/11

#### PRIVACY POLICY

The XL America, inc. Insurance proup (the "Companies"), believes personal information that we collect about our customers, polantial sustainmen, and proposed insureds (referred to collectively in this Privacy Policy as "customers") must be busined with the highest degree of contisentiality. For this reason and in compliance with the Yolk V of the Grommi-Le archiblety Act (GLIAT), we have developed a Privacy Policy that applies to all of our companies. For purposes of ox Privacy Policy, the term "personal information" includes all information we obtain about a customer and maintain in a personally identifiable very. In order to assure the contidentiality of the personal information we obtain the continuous way.

You privacy and the confidentiaty of your business records are important to us. Information and the analysis of internation is essential to the bulbers of features and critical to our ability to provide to you excelent, confidence service and produces. Mo understand that gaining and keeping your loust depends upon the security and integrity of our records potterning you. Accordingly, we promise that

- and integrity of our records populating you. Accordingly, we promise that

  1. We will follow strict standards of security and confidentiality to protect any information you share with us or information that we procly a dept you?

  1. We will verify and exchange information regarding your small and financial stable only for the purposes of underwriting, policy administration, or risk management and only with regurable references and clearinghouse senfores.

  3. We will not collect and uses information about you and your business other than the minimum amount of information increasing to safety our about and deliver to you accelent senfore and products and to administration or business; and products and to administration or business, we will rest our employees to handle information about you or your business in a secure and confidential manner and only permit employees a whorized to use such formation to have access to such information; We will not disclose information you or your business to any organization outside the XL havanance group of Companies or to third party service providers unless we disclose to you our historia to so or we are equived to do so by two your provide in with written authorization to do so, or any claimants under any policy of insurance, unless your provide in the law.

  4. We will not disclose installed information about you, your employees, or any claimants under any policy of insurance, unless your provide in the law, you provide to with written authorization to do so, or unless the disclosure it for any specific business exception provide in the law, which written authorization to do so, or unless the disclosure it for any specific business exception provide in the law, which written authorization to do so, or unless the disclosure it for any specific business exception provide in the law, and will advise you how and where to access your account information [unless prohibited by law), and will sold and exequence of imformation and seasons our operations, personnel and third party servi

## Gollection and Cources of Information

We collect from a customer or polential customer only the personal information that is necessary for (a) determining eligibility for the product or service sought by the customer, (b) administrating the product or service obtained, and (c) advising the customer about our products and services. The information we collect generally curves from the information curves:

Submission — During the authorises produces, you provide us with information about you and your business, such as your name, address, phone number, e-mail address, and other types of personal identification information;

- Information;
  Quotes We collect information to enable us to determine your eligibility for the particular insurance product and to determine the cost of such insurance to you. The information we called will very with size type of insurance you seek;
  Transactions We will maintain records of all transactions with us, our efficiets, and our whird party service providers, including your insurance coverage selections, premiums, billing and payment information, cleims history, and other information related to your account;

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#### NOTICE TO POLICYHOLDERS

- An independent data adjuster or investigator, or an attendary or expert involved in the claim; 
  Persons or organizations that conduct scientific studies, including advastes and accountants; 
  An harunenes support organization; 
  Another insurer if to prevent that do to properly underwrite a risk; 
  Another insurer if to prevent that or to properly underwrite a risk; 
  A étale insurence department or other governmental agency, it required by federal, stale or local laws; or 
  A etale insurence department or other governmental agency, it required by federal, stale or local laws; or 
  Any persons ensued to receive information as ordered by a summons, court order, search warrant, or 
  subpoons.

### Violation of the Privacy Policy

Any person violating the Privacy Parcy will be subject to discipline, up to and including termination.

For more information or to address questions regarding this privacy statement, please contact your broken

### NOTICE TO POLICYHOLDERS

- Claims If you obtain insurance from us, we will maintain records related to any claims that may be made under your policies. The investigation of a claim necessarily involves collection of a broad range of information about many issues, borne of which does not directly involves you. We will share with you any facts that we collect about your claim unless war are prohibited by lew from doing so. The process of claim investigation, evaluation, and settlement also involves, however, the collection of advice, opinions, and comments from many people, including aborrops and experts, to add the claim specials in determining how best to hardle your cleim. In order to project the legal and transactional confidentity's and priviles associated with such opinions, comments and advice, we will not disclose this internation to you; and Craiff and Finencial Reports Wer may receive information about you and your business regarding your credit. We use this information to verify information you provide during the automission and quote processes and to help underwrite and provide to you the most accurate and cont-effective insurance quote we can provide.

#### Relendon and Correction of Paragual Information

We retain personal information only as long as required by our business practices and applicable law. If we become exercitions and farm of personal information may be materially insecurate, we will make reasonable effort to re-verify its accuracy and correct any error as appropriate.

#### Storage of Personal Information

Wie have it place sufequates to protect data and paper files containing paradual information.

# Sharkov/Disclosing of Personal Information

We maintain procedures to assure that we do not share portional information with an unaffiliated third party for marketing purposes unless such sharing is permitted by law. Parecost information may be disclosed to an unaffiliated third party for necessary servicing of the product of service or for other normal business brancations are promoted to have

We do not disclose personal information to an unefficient fixed perty for servicing purposes or joint marketing purposes unless a contract containing a confidentially/non-disclosure provision has been styred by as and the third party. Unless a consumer consantle, we do not disclose "consumer credit report type showed no obtained from an application or a credit report type and the down an application or a credit report type and the provision of the product to any unifficient bird party for the purpose of serving as a factor in establishing a consumer's stylicity round, insurance or employment. "Consumer credit report type information means such things as not worth, credit very white say, likely is information (piloting, skyphing, sto.) solvency, sic. We also do not disclose to any unefficient distributions and party a policy or account number for use in transfering. We may share with our attilisted compensas information that reights to our experience and insurance on the customer.

#### Policy for Personal Information Relation to Monoubic Personal Realth Information

We do not discuss nonpublic personal health intermetion about a customer unless an authorization is obtained from the customer whose nonpublic personal information is accept to be disclosed. However, an authorization shall not be probabiled, nesticad or hequired for the disclosure of certain insurance functions, including, but not limited to, claims administration, claims edjustment and management, estaction, investigation or reporting or actual or potential fauld, misrepresentation or criminal activity, underwriting, policy placement or becames, loss control and/or subting.

# Access to Your information

Our employees, employees of our existated companies, and third party service providers will have access to information we collect about you and your business as a necessary to effect transactions with you. We may also disclose information about you to the following categories of person or entities:

Your independent insurence agent or broken

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#### NOTICE TO POLICYHOLDERS

#### FRAUD NOTICE

Arkanass	Any person who knowingly presents a fates at featurest enterinfor payment of a loss or benefit or knowingly presents fates information in an application for knowence is guilty of a crime end may be subject to face and confinement in prison.
Colorado	It is unlawful to knowingly provide false, incomplete, or mislanding facts or information to an insurance company for the purpose of defaulting or alternation of default the company. Farelities may include improtoment, fines, denist of insurance and dold damages. Any insurance company or agent of an insurance company who knowingly provides facts, complete, or molecularly facts or information to a policyholder or oldsmant for the purpose of defaulting port subscripting to default the policyholder or claiming with regard to a settlement or award payable for insurance proceeds shall be reported to the Cotorado Division of insurance within the Department of Regulatory Agencies.
District of Columbia	WARVING: It is a crime to provide face or misleading information to an insurer for the purpose of defaulding the insurer or any other person. Pensiles include imputenment and/or first, in addition, an insurer may deep incurance benefit if false information materially related to a claim was provided by the applicant.
Florida	Any person who knowledly and with Intent to Injure, defraud, or deceive any insurance company flet a statement of claim or an application containing any faire, incomplete, or misleading information is guilty of a felony of the third degree.
Haweil	For your protection, Hawaii law requires you to be informed that presenting a faudulant claim for payment of a loss or benefit is a crime punishable by fines or imprisonment, or both.
Kentucky	Any porsion who knowingly and with intent to do have any insurance company or other person files an application for insurance contributing any materially false information or conceasis, for the purpose of infalseding, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime.
Louislana	Any person who knowingly presents a false or fraudulent train for payment of a loss or benefit or knowingly presents false information in an application for laurance is guilty of a crime and any be autiliate to fines and confinement in prison.
Maine	It is a odine to browlingly provide false, incomplete or misloading information to an insurance conjuny for the purpose of defaulding the company. Penalties may include imprisonment, thes, or deniel of insurance benefits.
Maryland	Any person who knowingly and withouty presents a folse or fraudulant claim for payment of a loss of baretry who knowingly and withfully presents false information in an applicable for teurance is guilty of a prime and may be subject to fines and confinement in placer.

### NOTICE TO POLICYHOLDERS

New Jersey	Arry peon who includes any faite or misleading information on an application for any interiore policy is subject to criminal and civil penalties.
New Mexico	Arry 911sh who knowingly presents a false or fraudulent claim for payment of a loss or beenfair knowingly presents false information in an application for insurance is guilty of a criste and may be subject to civil fines and criminal penalics.
Hew York	All Generals insurance Forms, Except As Provided for Automobile Insurance American Any person who knowingly and with intent to defined any insurance coercipage of other person fee an application for insurance or settlement of claim coertaining any materially false information, or conceals for the purpose of males leafly, information occurring any fact material therato, commits a fraudulent insurance, which is a crime, and shall also be subject to a civil penalty not to access the thousand defiars and that stated value of the ciaim for each such Mokation.
	Austomobile insurance Forms: Any person who knowledy makes or knowledy passits it, each, solicits or conspires with another for make a false report of the sheft, desprowing damage or conversion of any motor vehicle to a law enforcement again Cy. As department of motor vehicles or an insurance company, commits a fassion dust knowledge, which is a crime, and shell also be subject to a civil penalty not do seemed two thousand dollars and the value of the subject motor vehicle or state-of dwin for each violation.
	Fire Interacts: Any person who knowingly and with intent to defraud any insurrance company or other person files an application for insurance containing any fatise. Infranction, or conceals for the purpose of misteading, information concerning any fauthatinal thereto, commits a fraudulent insurance act, which is a crime. The proposationured affirms that the foregoing information is two and agrees that these app licealisms that constitute a part of any poley issued whether sitacted or not and that artivized conceatement or misurpresentation of a material fact or circumstances shall be seconds to rescind the insurance policy.
Ohio	Any premowno, with intent to defraud or knowing that be it facilitating a fraud against tainsum, submits an application or files a claim containing a false or deceptive statement is guilty of insurance traud.
Oklahome	WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any tinsum, makes any dalm for the proceeds of an insurance policy containing any falses, itempiste or misleading information is guilty of a falony.
ennsylvania	Any patter who knowingly and with intent to defined any insurance company or other person files an application for hautenness statement of cleim containing any materially false information or conceals for the purpose of intellections, information concearring any test maintail sharels contains a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.
	Autom toble insurance Forms: Any person who knowingly and with intent to injure or definal any later likes an application or claim containing any false, incomplete or microleadop information stall, upon concludes, he subject to imprisonment for up to server years and the payment of a fine of up to \$15,000.

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### NOTICE TO POLICYHOLDERS

#### U.S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL ("OFAC")

No caverage is provided by this Policyholder Nolice nor can it be construed to replace any provisions of your policy. You should road your policy and roview your Daclarations page for complete information on the overages you are provided.

This Policyholder Notice provides information concerning possible impact on your insurance coverage due to allestrives issued by DFAC and possibly the U.S. Department of State. Please read this Policyholder Notice carefully.

OFAC administers and ornance sandlons policy based on Presidential declarations of "national emergency". OFAC has identified and listed numerous

- Foreign agents

- Front organizations
  Tonorials
  Tonorials
  Tonorials
- Narcolles traffickers

as Specially Dasignated Nationals and Blocked Persons. This list can be found on the U.S. Department of the Treasury's wab site - http://www.treas.gov/otac.

The Secretary of the Treasury also has identified a number of entities in the Insurance, petroleum, and petrochemicals industries determined to be owned or controlled by the Iranian government. Business transactions with any of these entities are expressly prohibited. These entities have been added to OFAC's list of Financial Institutions Determined To Be Owned or Controlled by the Government of Iran. This fait can be found on the U.S. Department of the Treasury's web site http://www.treas.gov/offices/entorcoment/lists/

In accordance with OFAC ingulations, or any applicable regulation promulgated by the U.S. Department of State, if it is determined that you or any other insured, or any person or entity daming the benefits of this insurance has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, this insurance will be considered a blocked or frazon continued and all provisions of this insurance will be immediately subject to OFAC. When an insurance policy is considered to be such a blocked or frazon contract, neither payments nor premium refunds may be made without authorization from OFAC. Other limitations on the promiums and payments also apply: nd payments size apply.

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# NOTICE TO POLICYHOLDERS

Puerio Rino	Any person who knowingly and with the intention to definate knowless false information is an application for insurance or file, assist or else in the filing of a fraudulent casin to obtain payment of a loss or other benefit, or files more than one claim for the stant payment, one loss or the feeling of a following significant for the stant loss or damage, convolts a felony and if found guity shall be purished for each violation with a few of no less than foundants docum (\$5,000), not to exceed for thousands dosing (\$10,000), or imprisoned for a freedom of three (3) years, or both. If aggressing circumstances arise the fixed just term may be increased to a modimum of five (5) years; and it mitigating circumstances are present, the fall term may be reduced to a minimum of five (2) years.
Rhode latend	Any person who knowingly pleasents a false or fraudulant claim for payment of a loss or benefitor inowingly presents false information in an application for insurance to pullty of a crime and may be subject to fines and confinement in prison.
Тенцовией	It is a crime to incovingly provide false, incomplete or misleading information to an instrument company for the purpose of defrouding the company. Ponatics include imprisonment, fines and detail of insurance benefits.  Workers Comparisation: It is a crime to knowingly provide fairs, incomplete or introducing information to any party to a workers componession transaction for the purpose of committing fraud. Panalitas include imprisonment, fines and denial of insurance benefits.
Utah	Workers Corspensation: Any parson who knowingly presents false or insudulent underwriting information, tiles or causes to be filed a false or fraudulent dating for desability compensation or medical benefits, or submits a false or fraudulent report or billing for health care force or other professional services is guilty of a crime and may be subject to fines and confinement in state prison.
Virginia	It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defauging the company. Penalties include imprisonment, fines and denial of insurance benefits.
Washington	It is a crime to knowledly provide false, incomplete or misleading information for an insurance company for the purpose of defrauding the company. Penalies include implicomment, fines and defial of incurance benefits.
West Virginia	Any person who knowledly presents a false or fraudulent claim for payment of a loss or bariefit or knowledly presents false information in an application for locurance is guilty of a cristia and may be subject to finds and confinement in prison.
All Other Stries	Any pareon who knowingly and willfully presents false information in an application for insurance may be guilty of insurance fraud and subject to fines and confinement in prison.

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